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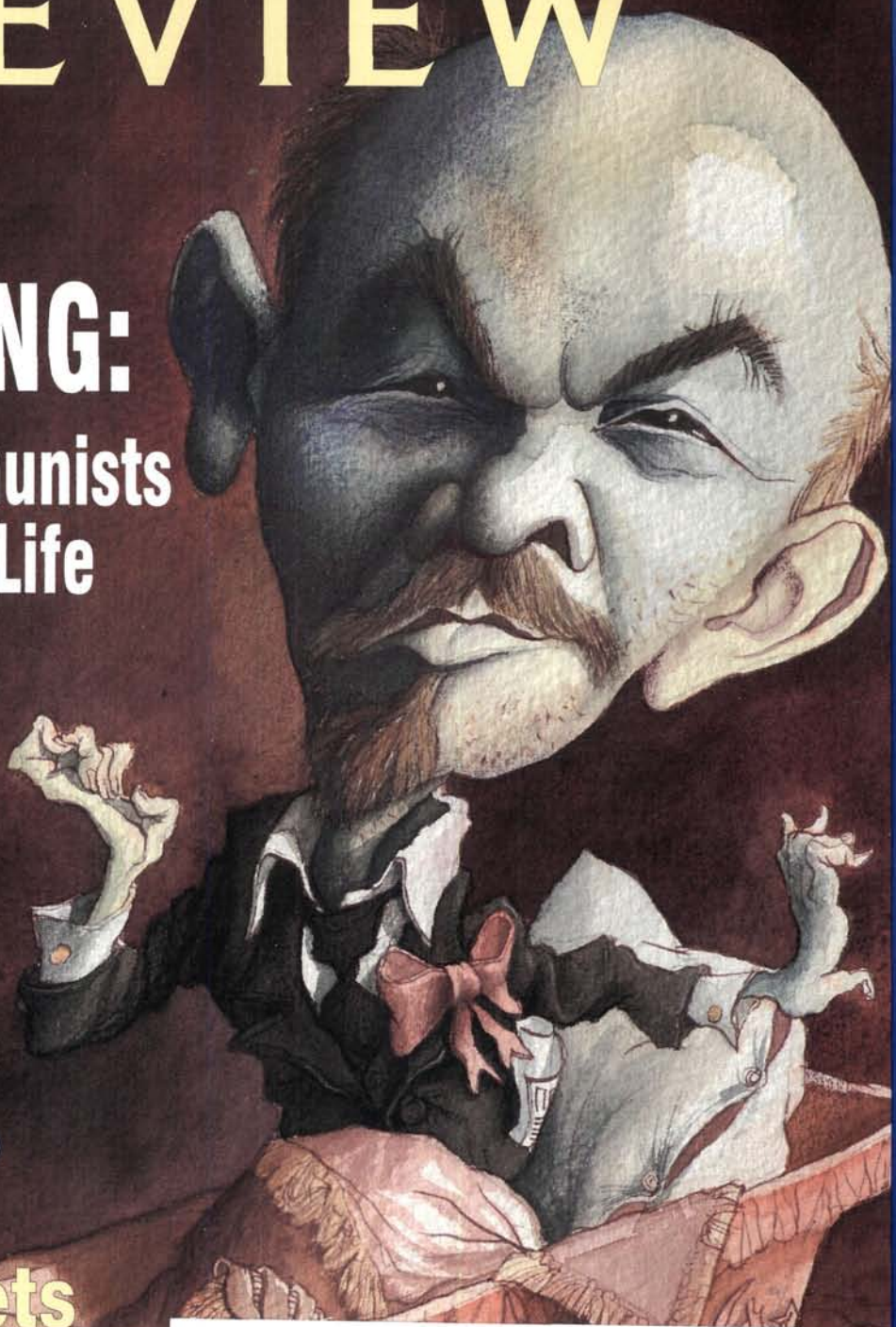

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NATIONAL REVIEW

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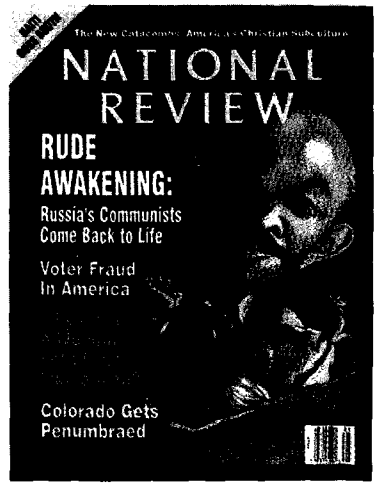

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LETTERS

Pearls of Beauty

In "Pearls of Wisdom" [May 20] James Gardner says of Jacqueline Kennedy Onassis that "had she existed in antiquity, she would have been one of the fair women whom Aeneas saw in Hades." While I admit the beauty of the passage in Book 6 of the *Aeneid* where the hero meets the resentful shade of his lover Dido, who had killed herself after he deserted her, I think the perfunctory ten-line catalogue of fair women that precedes this passage is hardly worthy of the name (and one of them had even been a guy for a while!).

No, the real catalogue of beautiful women—all of them "wives and daughters of princes"—is found in Book 11 of the *Odyssey*. Here, in a passage of over one hundred lines (so lengthy that it has been considered a separate lay that was woven into the poem), Odysseus sees the spirits of the great beauties of old, including the mothers of Hercules and Oedipus. I ask you: Would Mrs. Onassis ever have accepted second best—even when it's Virgil?

Peter D'Epiro
Ridgewood, N.J.

Alienating Immigration

In replying to his critics, Peter Brimelow ["Alien Nation: Round 2," April 22] remarks the hypocrisy of liberals who condemn female circumcision while calling for respect of other cultures.

A practice perhaps more notorious than female circumcision is abortion for the purpose of sex selection, which is encountered particularly among the East Indian group. The practice reflects a religiously inspired belief that woman is inherently inferior to man and that her way to salvation is to bear her husband a son. In Canada, it is suggested that this practice is protected by our Charter of Rights and Freedoms owing to its official commitment to multiculturalism. Unfortunately, there seems to be a conflict with Canada's official commitment to equality of the sexes—also found in the Charter! William Buckley once quipped that liberals are always talking about hearing other points of view but are flabbergasted to learn there *are* other points of view. Similarly, it seems that liberals' enthusiasm for respecting other cultures dries up quickly when they find out there *are* other cultures.

Bill King
Toronto, Canada

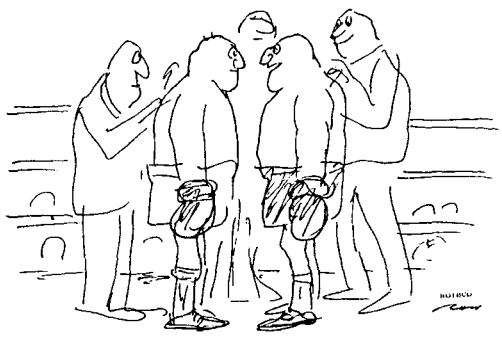
Mr. Brimelow is quite right that in my review of his *Alien Nation* for the *Dallas Morning News* I did not discuss the U.S. Immigration Act of 1965. In fact, unlike some reviewers, I chose not to focus on his serious criticisms of that legislation, many of which I found persuasive. I did, however, bemoan what I detected to be a current of bad faith throughout the book that could easily be construed as racism. Ultimately I believe Mr. Brimelow undermined whatever salient points he made about U.S. immigration policy with this unfortunate subtext, which seemed based not on any calculable economic or demographic data but rather on wholly unempirical, and some might say offensive, sentiment.

When in his book Mr. Brimelow remarked that certain immigrants come from cultures and traditions "incompatible" to America's, it made me wonder if all his careful research might nevertheless have been in service to some more pervasive, invidious set of beliefs. Mr. Brimelow did not need to add a cultural component to his thesis, but he chose to do so, and I could not help but think there was more to his argument than the rational construction of empirically defensible premises and conclusions. There was also an unmistakable element of cultural cynicism, if not downright prejudice, that disqualified Mr. Brimelow in my mind as a credibly dispassionate analyst of the immigration issue. While the inclusion of prejudicial rhetoric doesn't necessarily negate an otherwise reasonably constructed argument, it does damage it. In this case it did so severely.

As for Mr. Brimelow's assertion that I likened him to Hitler or to neo-Nazi skinheads: I didn't. I merely asked a rhetorical question—Do nations have "identities" separate and distinct from the aggregate identities of the people who live in them?—and then pointed out that Hitler (as did Nietsche and Wagner) certainly thought so, as do nationalist skinheads in Germany today. Brimelow is as free as he ever was to answer the question himself in either the affirmative or the negative.

Jeff Turrentine
New York, N.Y.

I don't think I said flatly that any group was "incompatible" with America. But nuance is not Mr. Turrentine's strong suit. Thus he claims he did not insinuate I was a Nazi and simultaneously repeats this insinuation. Apparently he just can't help himself. —PB



"O.K. I'll knock some sense into you, if you'll knock some sense into me."

The Writing on the Wall

I applaud Bishop Fabian Bruskewitz's attempts to restore order to the Roman Catholic Church ["The Week," April 22]. Nevertheless, his latae sententiae "excommunication" of parishes belonging to the Society of St. Pius X is invalid. A similar edict issued by the Bishop of Honolulu was repudiated by the Holy See. As for the "rejection" of Vatican II, little surpasses the Novus Ordo Missae. Few who speak in the name of the Council have ever read its documents; fewer still have understood them in the light of Catholic Truth. Raised entirely in the New Mass, I nevertheless recoil at is impiety, modernist pride, and theological equivocations. Every statistic, every anecdote, labels it an irremediable failure. Mere conservatism is insufficient: One does not pitch a tent in a swamp. Observe the young, orthodox families which thrive in traditionalist parishes and read in them the writing on the wall addressed to the aged triumphalist revolutionaries who stole our inheritance: "Mene, Tekel, Peres."

Jeffrey C. Kalb, Jr.
Phoenix, Ariz.

Birth of a Gentleman

What good news it was for Jeffrey Hart to revive James Burnham's thesis that the only plausible ideal of conduct for Americans is the gentleman! While he makes many fine points in pursuit of this noble cause, he invites gentlemanly trial by duel in the short shrift given the South. For there, SouthernGentleman is one word, as is DamnYankee.

I herewith fling down the gauntlet to trial by croquet on The Lawn of The University, with the defeated to pay for a frosted silver pitcher of Mint Juleps at ordeal's end! Mr. Hart's sins of omission were failure to give their due to the five primary values that define the Southern Gentleman's character.

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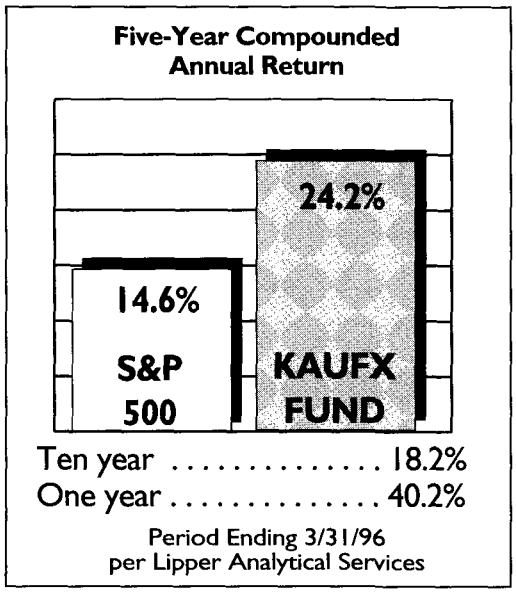

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First is tradition—from a far earlier Britain than Mr. Hart discusses—going back to the Arthurian ideal of knighthood, where mighty strength was put to the service of great gentleness. This tradition is rooted in Biblical faith.

Second is background. A first-generation gentleman, while not an impossibility, is hardly a probability. Gentlemen build on their inheritance of fathers and grandfathers whose portraits, swords, and achievements set the course for honorable behavior.

Third is fellowship. By Virginia standards, Mr. Hart's picture of Harvard's Porcellian Club is pathetic. At the University such clubs as The Jefferson Society and The Raven Society are full of both social and service vitality. This spirit is the extension into many associations of the gentleman's appreciation that his own values are rooted in his family inheritance.

Fourth is manners, which start with dignity in one's own person and dress from a recognition that, in fellowship, we often insult the hospitality of others by sloven habits. Manners include courtesy to all, particularly the elderly, ladies, and the young.

Fifth is charm—a recognition that life's endless discords are better countered by ironic wit than by metaphysical despair. It also stems from the awareness that, among those whose egos are under control, life can be a lot of fun. If Mr. Hart will join me for trial by mallet, I promise his chivalry will grow as he fights his way through a bush of mint, and all Yankee cobwebs will vanish as mellow bourbon works its wonders.

Whittle Johnston
Prof. Emeritus, University of Virginia
Charlottesville, Va.

We Don't Like It

If Sen. Spencer Abraham (R., Mich.) ever gets off his high horse ["Letters," April 22] maybe he'll understand why real immigration reformers are so angry at him and his congressional supporters.

He says that polls are irrelevant and that his definition of principles is what matters, that U.S. companies should be able to hire the employees of their choice regardless of the people's concerns, and he doesn't want to punish immigrants who play by the rules. The senator should be reminded that the rules are the problem.

The 1965 Immigration Act, passed by a liberal Democratic Congress and President, discriminates against European immigrants and grants preferences to virtually everyone else. It has already transformed America and continues to do so, rapidly, and most of us do not like it.

Kenneth Reynolds
Bronx, N.Y.

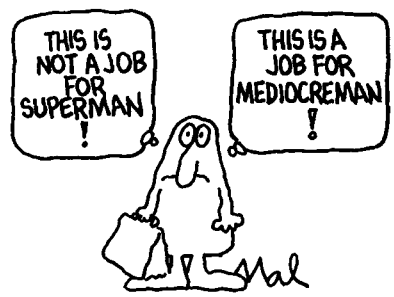
Material World

Jeffrey Hart's rebuttal ["Dream Weaver," March 25] to my "Up from Capitalism" [Jan. 29] deserves my response. If Professor Hart is correct in saying that everyone is against materialism, then my article was undeserving of print. However, assuming he and I are talking about the same thing, and I'm sure we aren't, he is incorrect. By materialism I mean a position or state of being based *primarily* on material interests, on the acquisition, use, enjoyment, and control of goods and things. I subscribe to John Fiske's definition of materialists as "persons who worship nothing but worldly success, who care for nothing but wealth, or fashionable display, or personal celebrity, or sensual gratification." I may not go so far as to say "nothing but," but, in terms of actual priorities, I would say "essentially." Once life is strictly categorized into economics, religion, politics, etc., it stands to reason that priorities become unavoidable just as the categories themselves become incompatible. Judeo-Christian ethics teach that the mindless pursuit of wealth endangers the soul and all moral purpose.

To my knowledge, Richard Weaver has neither stated nor implied that there is no honor or integrity among "economic men," to use Professor Hart's own ideological term, which itself suggests a priority. Furthermore, I did not, as Professor Hart writes, notice "that Weaver rejected 'organized religion.'" I wrote that "Weaver's unorthodox defense of orthodoxy is not dependent on the teachings of organized religion."

In my effort to do justice to the writings of Richard Weaver, neither conservatism nor capitalism were the objects of my primary concern. I attempted to concentrate on the moral and spiritual problems resulting from the unqualified glorification of getting and spending. To believe that we have been "blinded by the insolence of material success" does not automatically constitute an attack on economic systems or political philosophies unless they are the causes of our blindness. Most likely they are the effects.

Ben C. Toledano
Pass Christian, Miss.



Unequal Injustice

Thomas L. Jipping's "Judging Clinton" [May 20] reminded me of a quotation in the American Civil Liberties Union's "Briefing Paper—Affirmative Action," Number 17, by Justice Harry A. Blackmun writing "In order to get beyond racism we must first take account of race . . . We cannot—we dare not—let the Equal Protection Clause [perpetuate] racial supremacy." Blackmun's concurring opinion essentially states that the United States Constitution is the source of racism due to the concept of "Equal Justice Under Law" as inscribed on the Supreme Court building itself.

The only other case where the high court of any nation arrived at a similar conclusion regarding equal justice under law was the high court of Germany under the National Socialist Party. In this case, the high court passed the Nuremberg Laws in 1937, making the Jews overtly inferior under German Law. Now we have a high U.S. court placing a group of citizens by gender and race covertly in an inferior position by stretching the "Civil Rights Act of 1964" into all sorts of set-asides, quotas, and affirmative action.

Thus, we have an array of lower courts at the federal, state, and local levels following the opinions of members of the highest court in decisions of "unequal justice under law." The solution may be to require all members of the judicial system to visit Washington to read the inscription on the Supreme Court building. The alternative would be to require a more prudent means of selecting fewer Jacobin judges who recognize the basic legal standards established by our Constitution.

Charles E. MacNeill
Crystal River, Fla.

Correction

Two errors crept into WFB's essay in praise of Winston Churchill [May 20]. The injunction "Let us now praise famous men" is from Ecclesiasticus, not Ecclesiastes. And the sentence near the end of page 64 should read: "It is simply mistaken that battles are necessarily more important than the words that summon men to arms, or who remember the call to arms."

—LB

Moral Finances

Lawrence Kudlow's "Crossroads" [May 20] was superb. I hope Sen. Dole takes note.

John Hirsh
Eaglesmere, Pa.

James K. Glassman's "Conservative Investing" is a piece long overdue!

Mary Sedwell
Houston, Tex.

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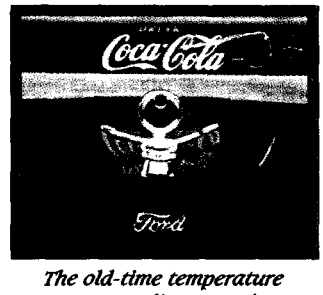

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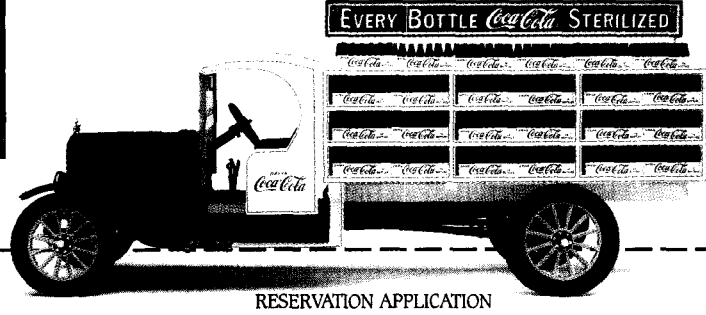

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FROM THE EDITOR

Fraud All Around

■ Voter fraud, which Rich Lowry shows to be a major and growing cancer in American politics, has until now managed to avoid serious attention.

Which is curious. Stealing elections is the criminal undermining of democracy —a coup in camouflage. Yet the media, usually so quick to scent scandal, are oddly uninterested in it.

At times the media seem positively compliant. When Ellen Saurbrey pointed to massive evidence of voter fraud in the Maryland gubernatorial race, much of the press attacked her as a bad loser.

And in his 1975 book, "Conversations with Kennedy," Ben Bradlee told how JFK had confided in him on election night that Chicago mayor Richard Daley had telephoned to say that "With a little bit of luck and the help of a few close friends, you're going to carry Illinois."

Mr. Bradlee failed to follow up this promising lead; perhaps he couldn't get confirmation from a second source.

■ Mr. Clinton's endorsement of the GOP bill that would allow states to refuse recognition to gay marriages made in Hawaii was not, I suspect, a hard decision. He probably reflected that the Supreme Court's overturning of the Colorado anti-gay-rights-Amendment was rooted in legal reasoning that would in due course overturn the GOP's proposed marriage law.

He is probably right. Ramesh Ponnuru demonstrates the arbitrary nature of such reasoning on page 26. It is easy to imagine a future Court extending the argument to find that conventional marriage deprives homosexuals of a basic civil right.

In fact, homosexuals already have a right to marry—and sometimes exercise it. They simply can't marry each other. But that's not because a right is being withheld, but because marriage is of its nature a heterosexual institution.

A same-sex marriage is a logical absurdity—like two men claiming the right to enter a mixed-doubles tournament in tennis. Of course, some half-witted Supreme Court justice (step forward, Anthony Kennedy) might eventually proclaim a right for same-sex couples to enter both marriage and mixed doubles. But the result would merely be the destruction of useful social and sporting categories.

Mixed doubles would become simply doubles, and marriages would become legally registered sexual liaisons of uncertain duration, (speeding up a deterioration that is already far too advanced).

Meanwhile, gays would be no nearer the social respectability they plainly crave. If you doubt this, consider the following dialogue:

A: "Have you heard? Bill and Steve are getting a divorce."

B: "Oh no. That's so sad. Of all the couples we know, I would have said that Bill and Steve had the happiest marriage. Is anyone else involved?"

A: "Well . . . "

Giving same-sex liasions legal cover will not persuade people to regard them as real marriages.

■ James Gardner's essay on "Transgressive Fiction" (p. 54) provokes an unsettling question: How do we explain the fascination, amounting almost to sympathy, of leading novelists for the most extreme and degraded manifestations of violence and sexuality.

Orwell answered this fifty years ago in his essay on the young Salvador Dali. It was, he wrote, the tactic of a minor talent striving for originality and renown.

If you lack a Dostoevskyian imagination, you might nonetheless get up a cheap imitation of one by deliberately embracing wickedness. And there is, indeed, an eerie similarity between one of Mr. Gardner's novelists (who describes a knife cutting into a breast) and Orwell's Dali who once depicted a razor slicing into an eye.

But the reading public must accept its share of the blame. We buy the books, or see the movies, thus testifying that the modern educated palate cannot distinguish between imagination and evil. All thrills are fungible.

—JOHN O'SULLIVAN

NATIONAL REVIEW

June 17 issue; printed May 29

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In Tennessee, Britanny Johnson and her mother, Kathy, attend classes together through Families for Learning, a program sponsored by Toyota.

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FOR THE RECORD

■ **Bob Dole**'s bold, completely unforeseen move sends contributions to Republican National Committee way up: before speech RNC was collecting $180 per hour, afterwards $2,600. Dole's favorable rating jumped from 43 to 51 per cent in CNN/*Time* poll in immediate aftermath of speech. . . . In over-the-top *Newsweek* essay on Dole, **Mark Helprin**, novelist and author of resignation speech, explains that for someone living in the Plains "courage begins to come naturally, and soon it rolls in like the tide, and then it becomes the only way to live." . . . House Majority Leader **Dick Armey** had warned that Dole would nonetheless lose the election if he didn't embrace far-reaching tax reform. Now that Dole has met with **Steve Forbes** to talk economic growth, it seems likelier the Kansan will embrace a bold tax plan. According to supply-sider **Jude Wanniski**, "Both **Haley Barbour** and **Newt Gingrich** have told Dole that a dinky little tax-cutting idea is not going to cut it." . . . Impressive GOP House freshman **Sam Brownback** is running all-out for nomination to Dole Senate seat, though Kansas Gov. **Bill Graves** is likely to pick Lt. Gov. **Sheila Frahm** to fill vacancy until special election.

■ **Bill Clinton** moves right on welfare, crime, same-sex marriage. **Maureen Dowd** writes of Clinton: "He moves from the left wing to the right wing because what he really believes in is the West Wing." . . . After Clinton endorses GOP same-sex marriage bill, Human Rights Campaign retaliates by revoking invitation to **George Stephanopoulos** to speak at San Francisco fund-raiser; other gay-rights advocates consider platform fight on the issue at Democratic convention. . . . Republicans discovered that Clinton proposals for cutting off teen welfare mothers who don't live with an adult or attend school were already contained in current law or were beyond President's authority. . . . AFL-CIO runs TV ads attacking Republican freshmen for congressional pay raise, neglecting to note that pay raise occurred back in 1989, in a Democratic-controlled Congress. . . . Meanwhile PACs have been hedging their bets on GOP maintaining control of Congress: Democrats received 51 per cent of PAC contributions in first three months of 1996, up from 39 per cent in all of 1995.

■ Rep. **Jim Moran** (D., Va.) causes stink when he points out Dick Armey staffer **Virginia Thomas** at Travelgate hearing: "What's Mrs. Clarence Thomas doing here? I really smell a political witch hunt here." Response: 129 female GOP staffers write to Moran: "[The] suggestion that working women are inextricably tethered to their husband's careers is not only narrow-minded. It is insulting." . . . This year's races feature raft of moderate Republican women like Massachusetts State Sen. **Jane Swift**, gunning for seat of Rep. **John Olver**. "I've heard some concerns, particularly about the conservatism of the freshman Republicans," Swift told *Roll Call* newspaper. "I've always placed a high priority on education and the environment." . . . Pro-choice Republican WISH List plans to endorse roughly 30 candidates by the end of the year, up one-third over 1994. . . . St. Joseph's Church (Roman Catholic) in North Grosvenordale, Conn., returns $5,000 donation from Sen. **Christopher Dodd**. "His pro-abortion stance . . . goes against the fundamental teachings of the Church," Rev. **George H. Parker** explained. "The money was considered blood money."

Matt—Rothco

"We have a wide selection of waters for you to choose from."

■ Peking is cool to Taiwan Pres. **Lee Teng-Hui**'s offer to "embark on a journey of peace to Mainland China," arguing that phrases such as "Taiwan as a sovereign body" in his inaugural speech indicate a two-China policy. . . . **Wu Jianchang**, son-in-law of 92-year-old (in August) **Deng Xiaoping**, told Hong Kong audience that Deng still plans to be there for the July 1, 1997, turnover to China. . . . Chancellor **Helmut Kohl**'s Germany is slipping into a certified recession with GDP decline for first quarter 1996 matching decline for third quarter 1995. Sign of the times: **Kurt Biedenkopf** and **Gerhard Shröder**, prime ministers respectively of Saxony and Lower Saxony, both traditionally considered to the left of Kohl in the Christian Democratic Party, have called for sharp cutbacks in the welfare state. . . . Mexico's Environmental Minister **Julia Carabias** pleaded with her countrymen to remain calm in the face of reports of Chupacabras (Goatsucker), a hideous monster with devil eyes, fangs, wings, and a forked tail, which attacks domestic animals.

■ *Time* managing editor **Walter Isaacson** on **Al Franken**'s performance at White House correspondents dinner, at which Franken poked nasty fun at Newt Gingrich's daughter: "It was not like the radio and television one where Imus sort of went a little too far. There were jabs at Clinton. There were jabs at Newt Gingrich, who was there at the dinner and others, but they were funny and gentle . . . within the bounds of propriety." . . . Conservative advocacy group Empower America announces appointment of Montgomery Securities CEO **Thomas W. Weisel** as its Chairman of the Board, and former candidate for Texas Lt. Gov. **Tex Lazar** as its President and CEO. . . . White House staffer writes in letter responding to Sen. **Rod Grams**'s (R., Minn.) concerns about closure of Pennsylvania Avenue that "free and pubic [sic] tours of the White House continue as they always have" . . .

■ **Jay Leno**, after Bob Dole's tough welfare speech: "Dole came out against young girls having sex. Well, finally, an issue he and Clinton can debate." . . . Dick Armey calls Clinton "the mean step-daddy President: He adopts all of our ideas and then he abuses them."

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THE WEEK

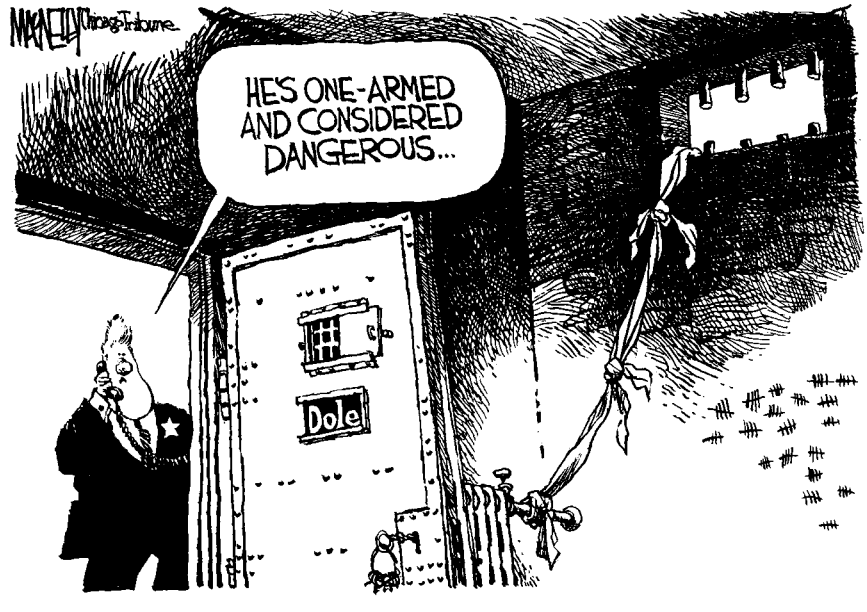
■ A new diet is sweeping America. You eat dessert only on days when President Clinton takes a position different from Bob Dole's.

■ "Nauseating and appalling," "political cowardice," "completely cynical"—so gay spokesmen responded to President Clinton's announcement that he would sign the Defense of Marriage Act, if it should pass Congress. The move was an election-year triumph of short-term calculations over long-term goals. The Republican bill is in part a pre-emptive response to the gay lobby's Hawaiian gambit, allowing states to reject gay-marriage contracts entered into in other states. Clinton has long said he opposes same-sex marriage, and his gay supporters have agreed to disagree with him on the matter. But the bill also defines marriage, for the purposes of the Federal Government, as the union of one man and one woman, and thus denies federal tax, welfare, pension, health, immigration, and survivor's benefits to same-sex couples. Before the announcement, Marsha Scott, the President's liaison to gays, had been exploring ways of extending such benefits, without the rubric of marriage. Clinton's abandonment of her efforts is what provoked gay wrath. Gays should cheer up. If Clinton wins, helped by such fudges, he can resume the effort (perhaps with the help of a new bill) to give them everything but the name.

■ It is increasingly unlikely that Republicans will propose to eliminate race and gender preferences despite overwhelming public support for ending the group spoils system. GOP House leaders believe it's impossible to move the Dole–Canady bill over the objections of Gary Franks (R., Conn.), who is 50 per cent of the House black Republican caucus. Franks is satisfied with the Clinton Administration's review of federal affirmative action, endorsing its "Mend it, don't end it" line. The media can be counted on to put Republicans on the defensive by highlighting Franks's opposition. The counterweight to Franks would be enlisting Jack Kemp (who has yet to endorse the bill) and J. C. Watts (R., Okla.), who supports the bill's substance but questions its timing, to make the principled case on its behalf. Meanwhile, the Dole campaign is in full panic over the gender gap, and its pollsters are counseling their candidate to downplay his support for the California Civil Rights Initiative, which opponents plan to fight over its alleged devastating effects on women. The CCRI battle is both winnable and unavoidable, and its courageous supporters like Ward Connerly deserve the enthusiastic assistance of fellow Republicans. As Republicans complain about Clinton stealing their issues, it is disheartening to watch them throwing away one of their strongest.

■ But the GOP can take heart. President Clinton isn't stealing conservative issues, he's only borrowing them. They'll be quickly returned after election day.

■ Call them slow learners, but the Clintonistas may finally have found the legislative strategy they had overlooked for three years: forging a majority alliance of Democrats and liberal Republicans. Consider the minimum wage. In mid May the House Republican leadership had chosen a course that seemed well suited to put the debate firmly on GOP terms. An exemption for small businesses—aping Democratic language from 1989—would be included in the minimum-wage bill, making it impossible for the President to sign it and turning the debate into a contest between small business and Big Labor. Just one problem: fellow Republicans wouldn't go along. A stunning 43 of them defected on the small-business exemption. House Majority Leader Dick Armey commented privately before the vote that no more than ten Republicans from union districts had reason to defect; the rest would just be kowtowing to country-club friends. Meanwhile, the Senate is operating in a similar vein. Instead of shifting money from other areas to labor, health, and education—which would require making some tough choices—Senate Republicans, at the behest of "budget hawk" Pete Domenici (R., N.M.), simply added another $5 billion in discretionary spending to the budget (the vote was lopsided, 75 to 25). The Senate also looks to be cooking up a welfare/Medicaid bill so weak that it will get past liberal roadblock John Chafee (R., R.I.) and hence get a pres-



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idential signature. At this rate, the President will manage in the next few months to build a solid record of accomplishment, thanks to his most effective friends on the other side of the aisle.

■ From the *Washington Post*: "If Stephanopoulos is the Administration's ambassador to traditional Democrats, he is also one of its principal liaisons with the news media." *Also*?

■ In *Forbes* magazine, Steve Hanke draws attention to a recent study by Peter Boone of the London School of Economics on the relationship between economic aid received by 97 countries and their economic growth. He found there wasn't any. The only discernible effect of the aid was to boost the size of recipient governments. Being channeled through governments, foreign aid generated more patronage powers at the expense of the productive sector. Despite the London School of Economics' reputation as a sheltered workshop for the Left, Boone is not alone: LSE has, in the person of the illustrious economist Peter Bauer, an honorable history of questioning the conventional wisdom on foreign aid. N.B.: Isn't it time that his pioneering work was rewarded with a Nobel Prize?

■ The campaign of Libertarian Harry Browne has announced that its candidate leads in Internet polls. The CNN/*Time* Virtual Election poll shows Browne at 23 per cent, followed by Dole (19 per cent), Clinton (18), Buchanan (17), John Hagelin (9), and Perot (5). That's fine. But if the Clinton and Hagelin forces unite, who will save the Republic?

■ When President Clinton and German Chancellor Helmut Kohl were supping on ribs, meatloaf, steak, and barbecued chicken in Milwaukee, was there a metaphor there? As James K. Glassman reminds us in the *Washington Post*, Germany, with its generous retirement system, worker-training programs, and nationalized health care, was a model for Bill Clinton in 1992. Yet now Germany's manufacturing staggers under the burden of labor costs 50 per cent higher than ours. No wonder unemployment in Germany is 10.4 per cent (about twice ours), while its GDP is expected to grow this year by less than 1 per cent. Now Kohl is desperately trying to get Germany's welfare state and public spending under control; a wave of strikes hit the public sector after he declared a two-year wage freeze. President Clinton, meanwhile—with such initiatives as pushing up the minimum wage—continues to blunder toward the Eurosclerosis that Chancellor Kohl is struggling to escape.

■ Occasional *NR* contributor David Frum roiled Canadian politics last week by posting the banns for a marriage between Canada's two almost-conservative parties, Reform and the Progressive Conservatives. He brought together some sixty of their parliamentary and grass-roots members at a Winds of Change conference in Calgary that the media immediately dubbed a Unite-the-Right cabal. The media, for once, had a point. Canada's last election—when the Liberals won a substantial victory over a Right divided between the imploding Tory government and the rising Reform Party—illustrated that in a first-past-the-post electoral system, if the Right is split, the Left triumphs. So there was good reason for an engagement; but how did the happy couple take to each other? They had little difficulty in agreeing on a common economic and social program (lower and flatter taxation, a balanced budget, etc.) that most American conservatives could happily endorse. But they had to gloss over differences on certain key issues, notably abortion and Quebec. And there is a suspicion that the party leaders are either skeptical of an alliance (Reform's Preston Manning) or downright hostile to one (Jean Charest of the Tories). A united Right will emerge in any event: either because conservative voters switch gradually to one of the parties, or because the party leaders make it to the altar. But Pastor Frum's shotgun wedding would take less time.

■ H. Douglas Anderson, a Seattle-area psychologist, has been fined $1,500 by a state examining board, put on one year's probation, and ordered to take a series of ethics courses for a "breach of ethics" that "fell below professional standards." The crime? A patient had asked what he thought about her impending abortion. He told her that it would be wrong.

■ Christina Jeffrey, the former House Historian ousted after being falsely accused of having Nazi sympathies, has sued Reps. Charles Schumer (D., N.Y.) and Barney Frank (D., Mass.), who first made the charges, and Speaker Newt Gingrich, who failed to defend her, for slander and defamation of character. Gingrich sinned by omission and subsequently acknowledged the delinquency. But his Right Honorable colleagues have never apologized for defaming Professor Jeffrey before the world (in a more honorable age they would have been challenged to duels). Initially Mrs. Jeffrey sought nothing more than compensation for her out-of-pocket expenses and the correction

Dole Lands One

While retreating in his limo,
A rear-mirror-focused shot
Fired backward through a window
Indicates he's getting hot.
In the world of quick-response time
Mr. Dole is learning fast,
And as Clinton's tantrums quicken,
CNN could be a blast.

—W. H. von Dreele

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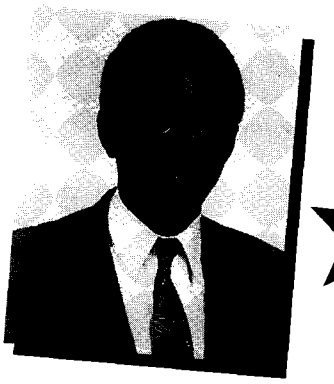

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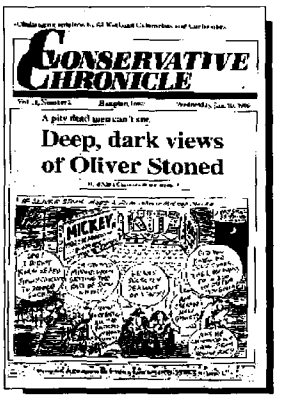
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of the public record. Mr. Gingrich having refused the first, she has been forced to take legal recourse. Her determination to set the record straight might serve us all eventually. Former Labor Secretary Ray Donovan famously asked, after a similar trip through the mill, where he could go to get his reputation back. Christina Jeffrey's lawsuit may caution those who would casually destroy others' reputations to be mindful of their own.

■ We wish to congratulate *NR* contributing editor Elliott Abrams on his recent selection as president of the Ethics & Public Policy Center. He will leave the Hudson Institute, where he is currently a Senior Fellow, to succeed George Weigel as the Center's president in July.

■ Matthew Robinson of *Investor's Business Daily* reports a new high in educational theory in California: subjective mathematics. A guide to the teaching of mathematics in that state advises teachers: "Your job is . . . not to judge the rightness and wrongness of each student's answer. Let those determinations come from the class . . ."

Barbecue of the Vanities

FOR months the refrain of Clinton apologists on the Whitewater affair has been: Where's the smoking gun? Well, an Arkansas jury has now provided 24 of them. The verdict in the fraud and conspiracy trial of Clinton associates James and Susan McDougal and (departing) Governor Jim Guy Tucker is an affirmation of the work of beleaguered Independent Counsel Kenneth Starr. In a complicated, dull-as-paint case in which the chief prosecution witness was a convicted felon savaged on the stand by the defense, and the President of the United States weighed in at length on behalf of the defendants, a jury found evidence of criminal conduct beyond a reasonable doubt. This was no split-the-difference verdict: James McDougal was convicted on 18 of 19 counts, his former wife on a perfect 4 of 4. Whitewater now has a "there."

The verdict should give Republicans the political boost necessary to continue their efforts to find it. The GOP had been flagging on the Clinton scandal front of late, hindered by a White House smear campaign against Starr and by declining public interest. Indeed, the campaign against Starr was the Clinton Administration at its cynical best: the spin machine hitting on all cylinders, attention steadfastly diverted from the real issues, absolutely shameless. The idea that Starr had conflicts of interest because he represents tobacco companies and because the Resolution Trust Corporation was suing his sprawling five-hundred-member law firm of Kirkland & Ellis would be laughable if it hadn't gained such currency in the press. By these standards, only the boy in the bubble would ever qualify as Independent Counsel—and Whitewater would never get the real investigation it deserved.

Now that the jury has implicitly answered the "vindictive, out-of-control prosecutor" charge, the business of Whitewater can continue apace. There are still serious questions: about Clinton's conduct as governor (did he pressure David Hale to make that fraudulent loan to the McDougals?); about McDougal's plundering of Madison (did the Clintons themselves benefit from his check-kiting schemes?); about the White House's handling of the scandal (why did the famous billing records suddenly appear, and have White House officials perjured themselves?). Meanwhile, through the strange bounces of Washington politics, the jury verdict keeps Travelgate alive. The House Oversight Committee has voted to declare the Administration in contempt of Congress for refusing to hand over Travelgate-related documents. The White House has reason to stonewall—Hillary Clinton may be vulnerable to obstruction-of-justice charges.

It seemed in recent weeks that the President would manage to elude his legal/ethical difficulties in one of those fogs of glib obfuscation that have seen him through so much. Now, thanks to these verdicts, that seems much less likely. Arkansas, birthplace of the President's ambitions, the forgiving playpen for the alternately righteous and greedy designs of himself and his wife, has at least this once failed the Clintons.

Sanctuary! Sanctuary!

The President's on active duty.
Those so occupied—
Based on a law from World War II—can't
Be arraigned or tried.
The President's pursued by Paula
(Hubba, hubba!), so
Bill Clinton's lawyer, with a straight face,
Waves it to and fro.

—W. H. VON DREELE

Newt Redux

BOB Dole's decision to leave the Senate means that the most prominent Republican in Congress will once again be Newt Gingrich.

The presidential primaries obscured whatever had been left of Newt's luster after the budget debacle and his numerous PR wounds, several of them self-inflicted. The media of course had not let up on him since November 1994; at his nadir, they were joined by hard-core conservatives in the House, who argued that Newt was behaving wimpily (for instance, on the minimum wage), and by soft-core conservatives like Al D'Amato, who argued that he was not behaving wimpily enough.

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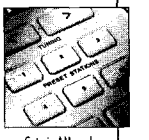

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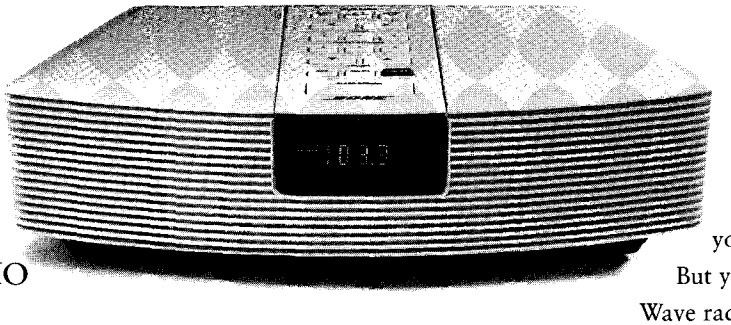

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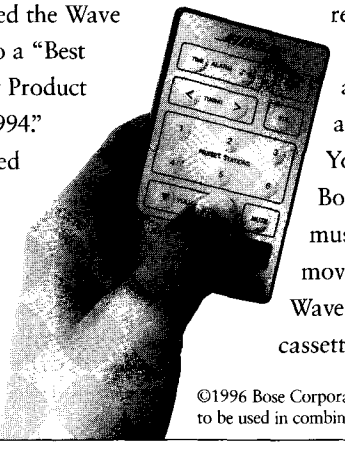

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Down he may be: he is not out. Even in his season of eclipse, the Speaker has been raising pots of money for Republican congressmen's re-election campaigns. In addition, Dole's departure will free Gingrich psychologically: so long as the presidential nominee was on the Hill, Dole and Gingrich were like two men in one phone booth. As the campaign heats up, Gingrich can resume doing one of the things he does best—hammering Democrats. The Democrats will dismiss his efforts, at first—even as they dismissed the Contract with America in October of 1994.

House conservatives irked by Gingrich's compromises should take the advice of Paul Weyrich, a long-time Gingrich ally, and stand up to him. "Newt is, above all, a realist," writes Weyrich in the *Washington Times*. "If he knows he can't get by with the sort of tactics that enrage [conservatives], he won't try them." But conservatives must be loyal as well as critical. Fantasies of ditching Gingrich for an ideological *beau idéal* are just that; if acted upon, they would bring not Mister Right but chaos and the final disintegration of the GOP majority.

Gingrich admires Howard Fast's Revolutionary War novel, *The Unvanquished*, especially the scene in which General Washington tells Nathanael Greene, disconsolate over the loss of New York, that the defeat is a bad one—and that there will be many more bad ones ahead, before victory. Washington and Greene endured, and prevailed. So will Newt Gingrich.

A Digest of Myths

"THE Immigration Myth," by Linda Chavez and John J. Miller, in the May issue of *Reader's Digest*, sets out to show that immigration is a substantial boon to the U.S. economy and American society. To do so, it must demolish various alleged

Right Data

DICK Armey makes $148,400 a year. That's nearly 10 times the $15,500 poverty threshold for a four-person family. At $4.25 an hour, a full-time minimum-wage worker earns just $8,500 a year. Yet Armey opposes "with every fiber of my being" an increase in the minimum wage.

A callous majority leader? Not exactly. Armey, a former economics professor, knows the numbers. About half of all minimum-wage workers are under 21. Most are not poor—68.2 per cent live in families with income two or more times the poverty line. And for less advantaged youth, whose work is crucial to the family's well-being, a higher minimum has historically meant less opportunity.

Between 1950 and 1955 the unemployment rate for young males was about 7 or 8 percentage points above the general rate and there was no significant difference between black and white joblessness. In 1955, and again in 1968, the minimum wage was increased significantly. After each increase unemployment rates for young males rose. Black teenagers suffered the most. Since 1973 their unemployment rate has been 23 to 39 points above the general rate of unemployment. Although the minimum is currently lower than it was in 1950, its reach is far wider. Approximately 83 per cent of all workers are currently covered.

Economists agree that a higher minimum lures people out of idleness and into the labor force. Can that be bad? Unfortunately, it can. A July 1995 paper by Federal Reserve economist William Wascher shows that teenagers in school are the group most likely to enter the labor force in response to a higher minimum wage. This is a double whammy. By dropping out, they reduce their lifetime earnings, and by competing for low-skill jobs, they make it harder for welfare recipients to find work. Data confirm this: welfare mothers in states that raised their minimum wage remain on welfare 44 per cent longer than such women in states that didn't.

THE MINIMUM AND MINORS

	Minimum Wage		Unemployment Rate (%)		
Year	Current $	1995 $	All Workers	White, 16–19	Black, 16–19
1950	$0.75	$4.75	5.3%	13.4%	12.1%
1955	1.00	5.69	4.4	11.3	13.4
1968	1.60	7.01	3.6	10.1	22.1
1980	3.10	5.73	7.1	16.2	37.5
1991	4.25	4.75	6.7	17.5	36.5
1995	4.25	4.25	5.6	15.6	37.1

Source: BLS, *Economic Report of the President*

President Clinton wants to raise the minimum wage to $5.15, a 21 per cent increase. Based on research published last year, each 10 per cent rise in the minimum wage puts at least 1 per cent of minimum-wage workers out of work. That translates to a job loss of about 80,000. In an economy of 120 million workers, that's hardly noticeable. Indeed, the gain in income for minimum-wage workers who keep their jobs is likely to exceed the loss in income for those put out of work.

But appearances are deceiving. One reason job losses are relatively small is that employers have ways to shift the burden of higher wages. They can raise prices. (Wage pressure is perhaps the most important factor in generating inflation.) Or cut hours. The average work week in retailing, the industry most affected by the minimum wage, fell from 37.3 hours in 1963 to 28.9 in 1995.

When facing a higher minimum, retail stores in New York cut commission payments, eliminated bonuses, and cut paid vacations and sick leave. Studies show that for every 1 per cent increase in the minimum wage, local restaurants reduced shift premiums by 3.6 per cent, severance pay by 6.9 per cent, and sick pay by 3.4 per cent. Even workers who kept their jobs were worse off with a higher minimum wage. The moral? Even in New York, there's no free lunch.

—ED RUBENSTEIN

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Praying Points

Dear God, let Wall Street run with blood
As weeds disfigure Broad.
Allow, if it's permitted, Bill
To ogle one more bawd.
Let manna laced with Absolut
Unloose the Mrs.' tongue,
Then—here's the biggie—let them lose
*As Gore (*please, *God) looks stung.*

—W. H. VON DREELE

"myths" which would otherwise undermine this complacency. Unfortunately, every one of the myths attacked by Chavez and Miller—that the educational quality of immigrants has deteriorated; that immigrants displace American workers; that immigrants are disproportionately into welfare; and that immigrants pose an assimilation problem—is no myth at all. All have been confirmed by recent research. (See, for instance, the article by George Borjas, *NR*, March 11.)

If Chavez and Miller were responding to this research—pointing out where it exaggerates, misleads, or is contradicted by later work—that would be a useful contribution to the debate. But they do nothing of the sort; indeed, they ignore this unwelcome evidence and simply recycle their own comforting myths.

And these myths actually are mythical—for instance, the Chavez–Miller argument that "less skilled immigrants take work Americans shun." The fallacy embedded in this claim can be seen by adding these simple words: ". . . at the going rate." If immigrants are willing to do particular jobs for lower wages than Americans, then they will take those jobs. If no immigrants are available to fill them, then either wages will rise to a level at which Americans are prepared to do them, or the jobs will be done by machines. To go from theory to practice, Japan gets all its jobs done—and has beat the U.S. growth rate over forty years—with no immigration at all. Given a big enough reward, even Mr. Miller would become a nanny.

Lost in Combat

THE journalistic post-mortems on Admiral Jeremy "Mike" Boorda, Chief of Naval Operations, added his suicide to a string of disasters that have afflicted the Navy since the Tailhook scandal (plane crashes, other charges of sexual harassment, drugs at Annapolis). But the Tailhook connection is more pertinent than Boorda's obituarists realize.

The proximate cause of Admiral Boorda's despair was an investigation by *Newsweek* of two of his Vietnam-era combat decorations. Strictly speaking, Boorda was not entitled to wear them—he served in the Vietnam theater, but not under fire—though he seems to have made an honest mistake, and some Navy brass (e.g., former Admiral Elmo Zumwalt) were quoted as saying that he had worn them properly. What may have converted an embarrassing *faux pas* into a mortal offense was Boorda's conviction that media sharks would treat it that way. Since Tailhook, it has been open season on the Navy.

Boorda was all the more disposed to expect the worst because, as Chief of Naval Operations, he had played the media game according to the post-Tailhook rules. In the summer of 1995, he had decided to pull the nomination of Admiral Stanley Arthur for commander-in-chief of the U.S. Pacific Command, on the grounds that Arthur had allowed a woman junior officer, who had complained of sexual harassment, to wash out of helicopter flight school. (Arthur agreed that she had been harassed, but he also concluded that she was a poor pilot.) "I helped screw it up," Boorda later said of the affair, "and don't feel good about it." Now the beast that he had vainly tried to placate was after him. And in his despair, Boorda may well have felt that he deserved to be caught.

Such dark nights of the soul do not visit the Commander-in-Chief, whose lawyers were arguing, even as Admiral Boorda was preparing to kill himself, that President Clinton could be spared from testifying in the civil suit brought against him by Paula Jones because, as Commander-in-Chief, he is on active duty. They did not say whether he will be entitled to wear combat decorations.

Europe's Spending Trap

WITH the fall of the Berlin Wall and the lowering of internal trade barriers, Europe seemed on the cusp of an economic renaissance. But something went wrong. Europe's anemic recovery from the 1990–92 recession is out of gas. Growth is slowing. Unemployment rates are stuck at about double the U.S. level. Policymakers are bewildered.

They shouldn't be. Government spending clusters at around 50 per cent of GDP in most of Europe, reaching 70 per cent in Sweden, as compared to 33 per cent in the United States. Income taxes are oppressive. Payroll taxes, a direct burden on private employers, are 50 to 100 per cent higher than our own. About half the cost of labor in Germany, France, Italy, and Sweden stems from government programs—social security, unemployment compensation, disability insurance. (By contrast, less than 25 per cent of U.S. labor costs are attributable to government, and still less in Korea and Taiwan.) Meanwhile, European states make it exceedingly difficult to lay off workers, while mandating numerous vacation days and paid leaves.

It is easy to state the answer: Public spending must be reduced. But the size of the state sector in most European countries has created a trap from which escape is difficult.

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Question: What do Gertrude Himmelfarb, Elizabeth Fox-Genovese, Marvin Olasky, John DiIulio, William Galston, William Kristol, Michael Medved, Mary Ann Glendon, Hadley Arkes, and Robert Casey, have in common?

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This is the thesis put forth in a new book by Oxford economists Robert Bacon and Walter Eltis.

Britain's Economic Problem Revisited—a reprise of their 1970s book about the "British disease" (since cured in Britain but now raging in continental Europe)—focuses on the declining ratio of private-sector to government employment. In principle, the authors assert, there is nothing wrong with employing collectively workers who might otherwise be on the dole. Producing something is surely better than producing nothing. But government-subsidized workers ultimately derive their support from the surplus extracted from the private sector.

There's the rub. As governments take on the role of employer-of-last-resort, more taxes are needed to support public workers. Those taxes raise the cost of labor, thereby reducing private-sector employment and increasing the need for government to play a role. In short, a downward spiral to economic decline.

Britain has escaped the worst of the Bacon–Eltis syndrome. This is due, in part, to the weakening of union power under Mrs. Thatcher. British unions can no longer force employers to maintain post-tax real wages, come what may. But the lion's share of the UK's improvement is due to the government's abandoning its role of employer of last resort. Europe is now paying the price of those who haven't learned.

True Lies

PARODY can illuminate. Alan Sokal, a physicist at New York University, launched a nonsensical argument about science behind a Berlin Wall of trendy academic jargon and submitted it to *Social Text*, a prestigious academic journal. Six editors approved it. Professor Sokal did not expose his hoax until after publication.

The stakes are considerable. For about 25 years, the movement of which *Social Text* is a part has been a power in the academy. Known in the humanities as deconstruction or post-structuralism, it resolves the problem of the relation of knower to known by placing the known object at the mercy of the powerful knower. A poem means what the critic says it means. The author disappears.

In the mind of the knower everything is a "text." Hence the title of *Social Text*. Yet in all of this there is a major "subtext," to use the jargon, and it's not so sub. For in the hands of the adept, the subtext becomes the text, making the "true" text a product of the knower's will. In academic practice the "subtext" is almost always Marxist, concerned with victims and oppressors, though we also get feminist, gay, and Afrocentric "readings."

But deconstruction has now tried to loop its tentacles around the physical sciences. It is that which provoked physicist Sokal. He doesn't think a neutron is a text. "I realized it would be boring to write a detailed refutation of these people," he says, and so he decided to send them his parody. "I structured the article around the silliest quotes about mathematics and physics from the most prominent academics, and I invented an argument praising them and linking them together. All this was very easy to carry off because my argument wasn't obliged to respect any standards of evidence or logic."

It is ironic that today's academic Marxists have tried to revive Marxism—with considerable success—by attempting to destroy meaning. Karl would have been outraged, but, of course, his own texts are never deconstructed. In the humanities, the best undergraduates flee deconstruction. But since it has been institutionalized among the faculties it will be a nuisance for quite a while. Though not, it seems, in physics departments.

The Week in Verse

What transformation! Suddenly the old,
The tired, familiar, doomed was *Dole* the Bold.
At last he seem'd to run instead of sit
And show'd he's fit for office as he quit.
They lov'd it at the *Times* and eke the *Post*
And on the television, coast to coast,
The smiling faces couldn't get enough
Of *Dole* in powder blue and boardwalk buff—
A caterpillar in a charcoal suit
Who'd burst his chrysalis and come out—cute!
But ordinary folk he sought to touch
Gave little sign of caring very much.

As C-in-C, the draft dodger atones
To serve his country unserv'd by Miss *Jones*.
He's tough, all right, for though it gives him pain
He'll not, like *Dole*, leave gov'rning to campaign.
Not that the *Clintons*' hopes are standing still,
But busy *Hillary* and busier *Bill*
Keep giving proof, if further proof were needed,
Of how, so far, they've brilliantly succeeded.
Welfare reform, for instance, is their pride.
"Welfare reform? They're on the other side!"
But they deserve the credit, don't you see,
For all those waivers giv'n the *GOP*.
So too with crime: a hundred thousand cops
They've added—and the crime rate promptly drops!
Or rather, since few yet patrol a beat,
'Twas *fear* of them made criminals retreat.
And what a boon expectant moms receive:
Their right preserv'd t'abort what they conceive
Ev'n to the point of birth and half beyond
For self-esteem—or that of *tout le monde*.
Of such achievements wond'rous proud is he,
But proud'st of all of his consistency.
So vote for him and know just what you'll get—
So vote to know what no one has known yet.

—JUVENAL

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David Ifshin, RIP

DAVID Ifshin was president of the radical National Student Association in the early Seventies and a leading antiwar agitator. He made his pilgrimage to Hanoi with Jane Fonda and denounced the United States on Radio Hanoi. He demanded that the University of Syracuse, his alma mater, rescind an honorary degree given to William Buckley in 1969. He became a Democratic Party activist, eventually serving as general counsel to the 1984 and 1992 campaigns.

A familiar pattern, you might say —except that David Ifshin's odyssey involved a dramatic reversal of direction. It's not clear what accounted for it. Perhaps it was the year he spent on a kibbutz around the time of the Yom Kippur War, when he saw how U.S. military power saved Israel. Whatever the cause, David Ifshin became a Scoop Jackson Democrat. He served on the executive committee of the neoconservative Coalition for a Democratic Majority. He apologized to every Vietnam vet he ran into—most notably ex-POW and war hero Sen. John McCain, who became a steadfast friend.

Ifshin remained an important, if lonely, figure in Democratic politics. In James Stewart's new book, *Blood Sport*, he is quoted as urging Clinton loyalists to come clean on Whitewater during the 1992 campaign. Ideologues in the Administration made sure he was offered no significant post. His private opinion of the Clintons was not printable in a family magazine; don't be misled by the eulogies emanating from the White House.

He died last month of cancer, aged 47. A great wit, a lively spirit, a patient and forgiving doubles partner, he was Diogenes' honest man. His party suffers greatly from his loss. A legion of friends will miss him.

—P. RODMAN

NOTES & ASIDES

■ *Remarks by Wm. F. Buckley Jr. at the memorial service for Richard M. Clurman, May 20, New York City.*

Three years ago, one evening in July, he asked whether I'd cross the ocean again in 1995, what would have been the fifth such venture, done at five-year intervals beginning in 1975. "I'm prepared to go," he told me. I suppose I smiled; it was dark on the veranda when he spoke. I told him I doubted my crew could be mobilized for one more such trip, and just the right crew was indispensable. He had done with me two Atlantic crossings, one Pacific crossing. He was an instant celebrity for his ineptitudes at sea, done in high spirit with a wonderful, persistent incomprehension of what was the job at hand. He was the object of hilarious ridicule in my son's published journal—and he loved it all, even as Christopher loved him; even when, while discoursing concentratedly on matters of state, he would drop his cigarette ash into Christopher's wine glass, or very nearly set fire in the galley when trying to light the stove. He thrived on the cheerful raillery of his companions, but on one occasion thought to say to me, in a voice unaccustomedly low, "I'm good at other things."

He hardly needed to remind me. Yes, and from everything he was good at he drew lessons, little maxims of professional and extra-professional life of great cumulative impact, instantly imparted to all his friends, at the least suggestion from them, or from their situation, that they needed help, or instruction. It is awesome to extrapolate from one's own experience of his goodness the sum of what he did for others.

When Oz Elliott, on Shirley's behalf, asked me to say something today I went right to my desk, but I found it impossible to imagine his absence from the scene. Was it true that there would be no message from him tomorrow on our E-mail circuit? That we would not be dining together during the week, or sharing a tenth Christmas together? In the strangest sense, the answer is, No, it isn't impossible that we will continue as companions, because his companionship left indelible traces: how to work, how to read, how to love.

It came to me last Thursday when just after midnight my son reached me at the hotel, that I have always subconsciously looked out for the total Christian, and when I found him, he turned out to be a non-practicing Jew. It will require the balance of my own lifetime to requite what he gave to me. **—WFB**

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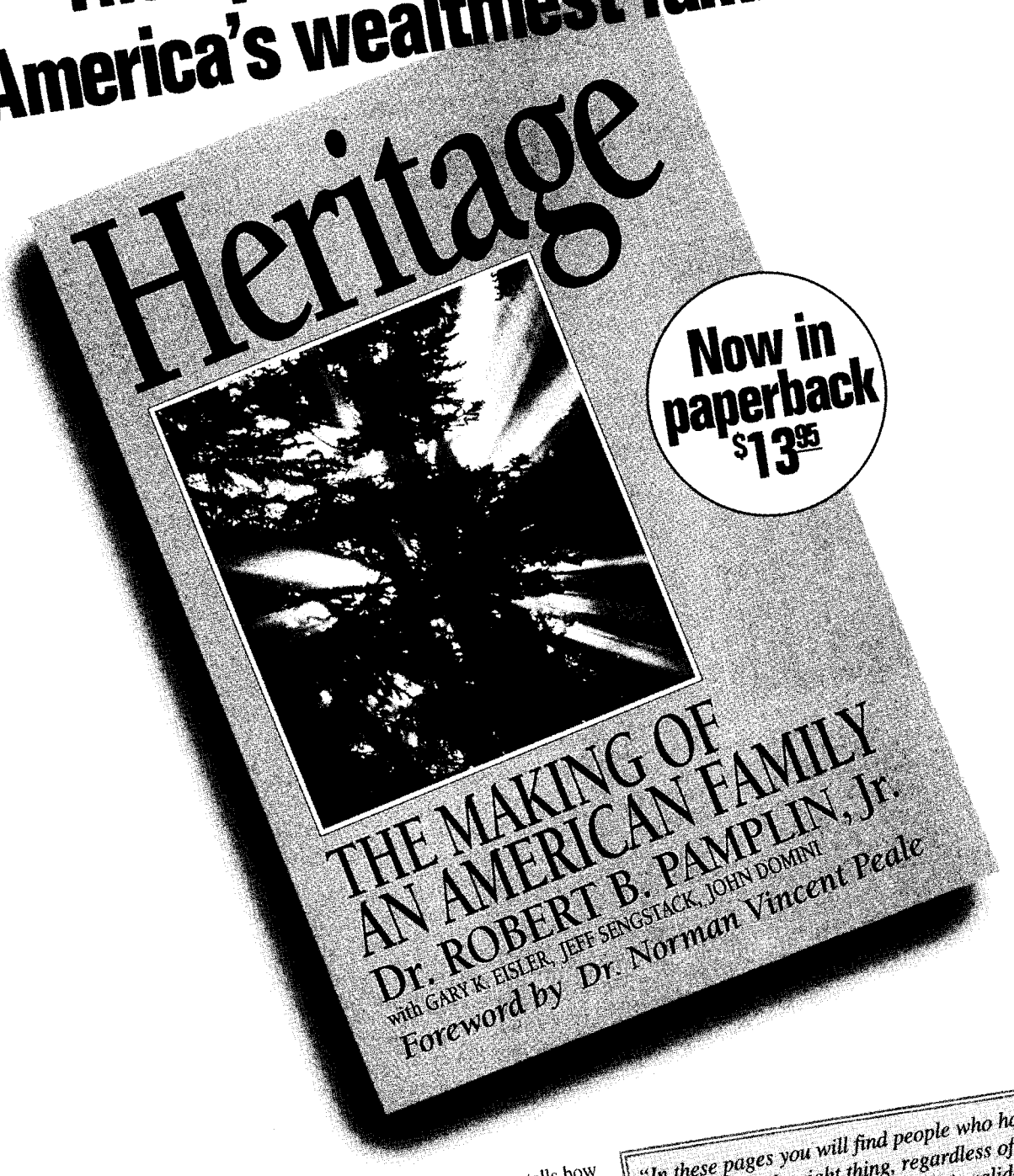
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CAPITAL SCENE

Kennedy's Queer Opinion

RAMESH PONNURU

Frederick H. Carlson

WASHINGTON, D.C.

IN *Romer* v. *Evans*, Supreme Court Justice Anthony Kennedy achieved a trifecta: his majority opinion earned praise from the editorial pages of the *New York Times*, the *Washington Post*, and even the *Wall Street Journal*. Such were the rewards of slapping down the voters of Colorado, a majority of whom had the temerity to support, in a 1992 referendum, an amendment to the state constitution deemed invidious by *bien-pensants* everywhere.

Amendment Two prohibited the state and local governments from treating homosexuality as the basis for any legal "minority status, quota preferences, protected status, or claim of discrimination." It was enacted as a response to "gay-rights laws" that banned discrimination against homosexuals in a number of cities. As legal philosopher Hadley Arkes puts it, the amendment "tried to preserve for people in their private settings the freedom to honor their moral and religious judgments regarding homosexuality." The law could be justified independently of any view of homosexuality. But its essentially libertarian purpose has eluded most commentators. Frank Rich of the *New York Times* described it, with his usual attention to nuance, as "a gay-bashing law"—as if Coloradans had voted to legalize, or perhaps mandate, the beating of homosexuals.

The Supreme Court proved no more capable of distinguishing between the motives behind such criminal behavior and those behind Colorado voters' choice. Five other Justices agreed with Justice Kennedy's conclusion that "the amendment seems inexplicable by anything but animus toward the class that it affects." It was "born of animosity," of a "bare . . . desire to harm a politically unpopular group." As such, it "bears [no] rational relation to some legitimate end" of government. And because it fails this "rational basis" test, the amendment violates the Fourteenth Amendment to the U.S. Constitution, which enjoins states to give all citizens "equal protection of the laws." Other groups can ask government for and enjoy legal protections; only homosexuals are singled out, unable to secure such protections without undertaking the arduous task of repealing a constitutional amendment.

Justice Scalia subjected these arguments to appropriate scorn in a withering dissent of the type to which Court watchers have become too accustomed from him. (It's practically an art form.) Joined by Chief Justice William Rehnquist and Justice Clarence Thomas, Scalia wrote that "the principle underlying the Court's opinion is that one who is accorded equal treatment under the laws, but cannot as readily as others obtain preferential treatment under the laws, has been denied equal protection of the laws. If merely stating this alleged 'equal protection' violation doesn't suffice to refute it, our constitutional jurisprudence has achieved terminal silliness." Monarchists, he noted, are prevented by the U.S. Constitution "from having their way by converting their fellow citizens at the local, state, or federal statutory level." Several state constitutions single out polygamists "for much more severe treatment than merely denial of favored status."

Far from expressing "animus" to a group, Amendment Two didn't classify people at all; it merely specified a characteristic which could not be a basis for legal protection. A black homosexual could still sue if he experienced racial discrimination; a lesbian would still have legal protection against sexual discrimination; generally applicable laws would prohibit assaults against either. Homosexuals were put in no worse a position than redheads or left-handers.

If voters had thought the amendment was "born of animosity," they probably wouldn't have passed it. The same day they did, the voters of Oregon heavily rejected a proposition that declared homosexuality "abnormal, wrong, unnatural, and perverse." By holding as it did, the Court put its imprimatur on the notion that moral disapproval of homosexuality is bigotry, akin to racism. Indeed, the Court is impugning the motives of a majority of the American public. The lesson of *Romer*, according to Princeton Professor Robert George, is that "the contempt for democracy social liberals have always shown in practice they have just declared in theory."

THE logic of the ruling, if applied consistently, would endanger any law that can be construed as disfavoring homosexuality. Laws against homosexual adoption could be held to be unconstitutionally based on "animus." Jurisdictions that don't have "gay rights" laws on the books could, in principle, be enjoined to enact them. "There's an embarrassment of riches for the other side," says Michael Uhlmann of the conservative Ethics and Public Policy Center. Activist litigators for "gay rights" can pick and choose which laws they wish to challenge. A Republican House aide observes, "I could construct a fairly decent argument—and I'm sure the memoranda are being written even as we speak—that *Romer* makes heterosexual-marriage laws unconstitutional."

Justice Kennedy is commonly acknowledged as the dimmest of the Court's intellectual lights. His method in *Romer* is oracular, heavy on assertion and light on demonstration. His opin-

Mr. Ponnuru is NR*'s national reporter.*

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ion's most glaring fault is perhaps its failure even to mention the most relevant precedent: *Bowers* v. *Hardwick* (1986), in which the Court upheld state laws criminalizing homosexual conduct. If a state can criminalize homosexual conduct, Justice Scalia argues, it can hardly be unconstitutional for it not to enact special protections for people who engage in it. Scalia's conclusion: "Today's opinion has no foundation in American constitutional law, and barely pretends to. . . . Striking [the amendment] down is an act, not of judicial judgment, but of political will."

The only conservative legal thinker I've found who approves of the result is Clint Bolick of the Institute for Justice. He concedes that "it was a very very close case," but thinks that a rational-basis test with teeth will aid his crusade to strike down "oppressive economic regulations." (I'd advise him not to hold his breath.) Bolick's assessment is idiosyncratic, but it illustrates a more general tendency, even among conservatives, to respond to judicial decisions in an impossibly high-minded way. The courts need to be demystified: decisions like *Romer* are simply part of a "culture war" carried on by judicial means; they tell us more about legal sociology than about normative jurisprudence. And indeed, Justice Scalia puts the decision in that context more forthrightly than he has ever done before.

Noted religious conservative Richard John Neuhaus argues that controversial issues now relegated to the courts must be consciously re-politicized. He says, "Maybe the American people have really become accustomed to lying down and letting the Court roll over them, but this I know: the only way to test this is to politicize the issue."

That won't happen unless responsible political leaders raise the issue. One would think *Romer* had handed Bob Dole a powerful weapon: he could make the case against "the Clinton Court." Admittedly, the record of Republican appointees like Justices Souter and O'Connor would make that case more difficult. (Fumes Professor George: "Souter put one over on us fair and square: we didn't ask, he didn't tell. But Kennedy and O'Connor should really be thrown to the alligators.") But another Clinton term would almost certainly yield a Court that would reverse the narrow conservative victories and compound the defeats of the last few terms. Instead of restricting affirmative action, the Court would mandate it. While it may seem impossible for abortion law to get any worse, a right to funding could yet be constitutionalized.

Amazingly, however, Dole had no comment in the aftermath of the Colorado decision. (Mike McCurry quickly conveyed the President's approval.) Dole's reticence may stem from a laudable reluctance to offend any group gratuitously. But the gay Left raised the issue first, and the public will understand the distinction between objecting to some aspects of its agenda and gay-bashing even if the Supreme Court doesn't. If Dole won't stand up for self-governance or defend the ability of traditionalists to act on their moral beliefs, what's the point of electing him?

Dole has at least endorsed one measure to counter *Romer*'s thrust: the Defense of Marriage Act. That bill, currently advancing in the House, has two main provisions: it defines marriage as between a man and a woman for purposes of federal law, and it reserves to

(Continues on page 60)

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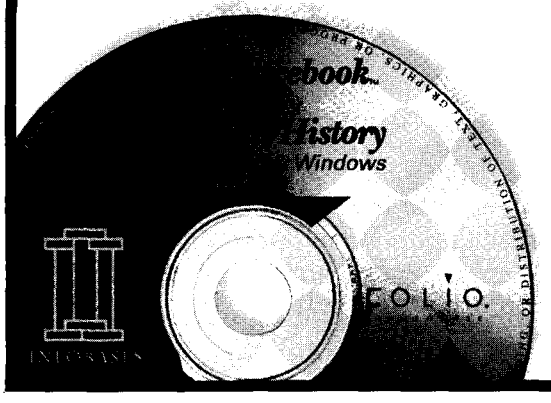

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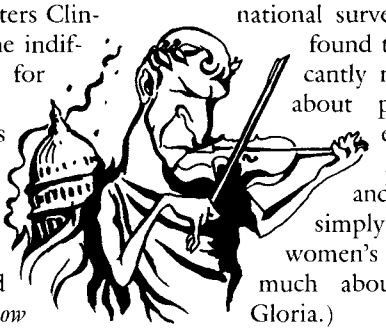
BREAD & CIRCUSES

AS the world knows, women's overwhelming support for President Clinton has put Bob Dole on the wrong side of a serious gender gap. Clinton leads among women by 20 points and believes their support is crucial to his re-election. The Dole campaign is determined to narrow the gulch. But because women tend to be inattentive and uninformed about politics, in courting women voters Clinton and Dole must woo the indifferent—a clear advantage for our President.



Since the 1940s, studies have consistently found that the public in general is poorly informed about politics and public policy. In their newly published book, *What Americans Know about Politics and Why It Matters*, political scientists Michael Delli Carpini and Scott Keeter find that, despite higher education and income levels and the explosion in information services, the public's knowledge has not increased over the decades The authors provide exhaustive evidence of how ill-informed the typical American is.

Less than half the public can define either conservative or liberal with any degree of accuracy; less than half know the length of a House member's term; only between a quarter and half can identify the decisions reached in *Roe* v. *Wade* or *Miranda* v. *Arizona*. Over the fifty years of survey items examined, only two positions of public officials could be identified by over 75 per cent of the public. The New Deal? LBJ's Great Society? No. The winners were Bill Clinton's "Don't ask, don't tell" policy, and George Bush's disclosure that he hates broccoli.

But some voters do know more than others. Republicans are better informed than Democrats, for example. And political ignorance discriminates by sex, too. Three-quarters of women score well below the male average on tests measuring knowledge of national politics. This particular gender gap is at least fifty years old, and it exists between men and women of equal education and income levels.

Women's lack of knowledge is in part due to their lack of interest in politics. According to the National Opinion Research Center, 53 per cent of college-educated men under the age of 30 read a newspaper daily, compared to only 34 per cent of their female counterparts. And the gap opens at an early age. A national survey of schoolchildren found that boys are significantly more knowledgeable about politics than girls, even after controlling for background and curriculum. Quite simply, it may not be in women's nature to care very much about politics. (Sorry, Gloria.)

Research shows that from an early age, girls are less interested in the rules of the game and in notions of abstract justice. They are more interested than boys in personal, immediate topics and in reaching consensus.

Significantly, there is no gender gap in knowledge of local politics. Indeed, women frequently know more than men about it. Why? Delli Carpini and Keeter point out that state and local politics involve issues that are more tangible, immediate, and personal. Although parents with children at home know less about politics in general, that is not true of local issues such as the public schools, which have a particular relevance to them. Women especially are more likely to know who's running the schools. On issues further from home, their opinions are frequently uninformed.

Polls suggest that women are more concerned than men about the poor, the federal safety net, and the national commitment to education. But they are not nearly as knowledgeable as men on these issues they claim to care about. Men are far more likely to know the size of the national budget, the unemployment rate, and the level of federal education spending. If women were, shall I say, a bit more frank, the "don't know enough to have an opinion" category on polls would expand dramatically. If NOW does ever set up the national third party it periodically threatens, perhaps it could resurrect an old party name—the Know Nothings.

Better informed individuals vote more effectively. Professor Delli Carpini says that the policy opinions of the most informed voters almost perfectly match their electoral choices. But among the least informed, there "is virtually no relationship" between the issues they say matter to them and how they vote. So when women express conservative opinions on crime and welfare, a fair number won't be informed enough to translate their positions into support for a candidate who agrees with them.

Karlyn Bowman of the American Enterprise Institute notes that women are "a lagging indicator on most issues because they are not as attentive as men to many current events." So the formidable challenge for Clinton and Dole is to catch the attention of women. It's not easy, but stories with a personal and emotional edge, rather than an abstract point, can do it. Surveys show that women were far more interested than men in the O.J. trial. Tonya Harding's adventures also engaged the interest of women. Presumably, not even a desperate Dole campaign would want to see Liddy kneecap Hillary. But they must try something dramatic to catch up with a President who has a huge advantage with inattentive women voters.

DELLI Carpini says that "the incumbent advantage works particularly well with less informed voters." He explains that it's tough to run an issues campaign for their benefit, so personality and style become critical. (Uh oh.) Even the simplest political information isn't easily communicated to a large number of people. Bob Dole has played a dominant role on the national scene for the past two years, yet a majority of Americans still don't know that he served in World War II.

Bob Dole might want to accessorize that new baby-blue blazer with his veteran's overseas cap; women are bound to notice wardrobe changes. And Delli Carpini thinks it could help if Dole emphasized the tangible, local effects of the GOP's devolution agenda. But if all else fails, maybe Trent Lott could push through a quick repeal of the Nineteenth Amendment.

—KATE O'BEIRNE

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THE BLACK DEATH, THE OLD MAN, THE MARKET CRASH FROM HELL!!

THERE'S a storm coming to the stock market, a wild, terrible storm – a stock market from hell. Most investors, institutional, individual, or whatever are not ready for that fury; they will not even notice it when the financial slaughter begins. No matter, that market catastrophe is coming; count on it, the catastrophe is coming. By the time it runs its bloody course, it will have savaged not only the savings, but the plans, the dreams, the aspirations of so many, especially of those who can least afford to lose – those with a modest portfolio, those who own shares in a mutual fund somewhere. It is they who will not survive the market fury, and be assured, the fury is coming.

In the Middle Ages, they thought of the Black Death as the hooded and cowled spectre who was holding a scythe and who appeared out of nowhere, to the serfs in the field, and to the revelers in the castle. Today, the stock market has its own hooded spectre beating at the gates. The mutual fund industry, the market shills on television and in the print media are making so much empty and foolish noise, they've made themselves deaf to that constant, intrusive pounding. The market has become little more than a fool's revelry, you do not have to share in those fools' predictable stock market fate. The Old Man's Notebook will keep you from serious financial loss, no matter who you are, Chief Executive Officers or Odd Lotter, no matter how vast or how limited your market experience, no matter how large or modest your portfolio. The Old Man's Notebook will keep not only this market but any market from ever harming you again, ever. Think of The Old Man's Notebook as a financial antibiotic to be used against the financial version of the bubonic plague. What others offer are only ambulates, potions, and spells. Compare the other stock market guides against each other; The Old Man's Notebook stands alone; it's sensational.

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For that $200, here's what you'll get. The book begins with a brief but riveting history of the exchange, with fabulous stories you've never heard before about people like Joe Kennedy, J.P. Morgan, Jesse Livermore, Black Jack Bouvier (Jackie O's father) and how that era gave rise to one of the greatest market discoveries of all time (and one of the least known to the outside world). You then apply this discovery to the stock market of the roaring twenties as you learn what was happening behind the scenes. You are then given the only written description anywhere of "the Morgan transaction," the second major market discovery, also largely unknown. From the market itself you generate the third discovery – an indicator so accurate that it was used by floor traders on the exchange for over three decades, so accurate that to violate it was called "crossing the death line." It gives several ways to spot stocks which are almost certain to rise, and those which will fall. It then gives market gems from seven decades, the real purpose of mutual funds, how to use them to your benefit rather than theirs, what happens at tops and bottoms – all that plus forty years of market data. It is a high octane boost to your market performance. Because of market conditions, the notebook will be sent the same day your order is received. The old man will pay the shipping. No credit cards please.

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ON THE SCENE

Voodoo Diplomacy

NINA SHEA

Roman Genn

PORT-AU-PRINCE

THE week of President Clinton's State of the Union address, in which he hailed Haiti as a major foreign-policy success, a pitched battle raged in Port-au-Prince's vast shantytowns. An armed gang called the Red Army fought the National Police with automatic weapons and flaming barricades of tires, leaving nine dead, many more wounded, fifty warehouses destroyed, and over a hundred homes burned. By the time I arrived in Haiti during the final week of the U.S. troop operation, violence by the Red Army, the gang called Saddam, and other mobs had become daily occurrences.

Weaving my way around the used-clothes vendors and basket-crowned market women who crowd the tropical capital, I saw firsthand how quickly an unruly mob can form. One disgruntled group had barricaded a main thoroughfare to oppose the closing of the Ministry of Information, a proposed austerity measure. Another group demanding flood relief blocked traffic by hijacking heavy equipment belonging to the Public Works Department. Once, my jeep turned a corner into a full-blown battle between police and khaki-uniformed students who had been demonstrating for the removal of the garbage that blocked their high school.

The locals gave countless other examples of how Haiti is increasingly coming under mob rule. An armed gang associated with a faction of Jean-Bertrand Aristide's leftist Lavalas movement attacked the union of the Haiti Flour Mill after the union had expressed an openness to privatization. A Red Army brigade operating a protection racket in the Cité Soleil slum of Port-au-Prince forced out Dr. Reginald Boulos's famous Centre de Santé, a clinic for indigents. In early March, gangs from Cité Soleil engaged police in a seven-hour shoot-out that left eight dead. A municipal survey identified ten different armed gangs in Cité Soleil alone. This month, the UN determined that the mobs have replaced the Right as the main security threat and requested an extension of its troops' mandate.

"Operation Uphold Democracy," in which 20,000 U.S. troops were deployed to Haiti in September 1994, ended on February 29. It would have been better called "Operation Political Vacuum." Haiti is in a state of political anarchy. Economic anarchy too, with a staggering 80 per cent unemployment.

Every branch of Haiti's government is weak, and there are no significant mediating institutions. René Préval, a member of Lavalas who succeeded Aristide as president on February 7, was elected with only 28 per cent of the electorate voting. He has no constituency independent of Aristide.

Haiti also has no effective armed forces. The U.S. saw as the main purpose of its $2-billion intervention the dismantling of Haiti's abominable military and the formation of a civilian-controlled national police force. The main focus in forming this police force was to screen out human-rights abusers. Strongly supported by Republicans in the U.S. Congress, this objective was achieved. However, the rookie force is simply not prepared to deal with the plethora of armed gangs in Haiti.

In February, Préval told *Le Monde*: "The members of the police force have received just four months of training. They are underequipped. . . . When they are pitted against a group of agitated people throwing rocks, then the situation quickly turns into hand-to-hand combat. A policeman who has just his gun will have a tendency to use it. The people are starting to feel that this police force, which was warmly welcomed, is now beginning to look like the Army that we dismantled."

The police are certainly no match for the mobs, which are a mix of plain criminal elements and an evolved form of the leftist neighborhood vigilante brigades that started up in the late 1980s. Active in drug trafficking, illicit property confiscations, and organized crime, the mobs formed part of Aristide's base.

Serge Gilles, president of the opposition PANPRA party, has a modest home in Pétionville, the flower-filled hill town above the capital. A variety of center-leftist opposition politicians gathered on Gilles's veranda one evening to talk about the mounting chaos. They were alarmed about the failure of the government to deal with the mobs, noting that a few weeks before Aristide had conferred standing on them by opening a dialogue. They were also concerned by the "trigger-happy" police. They told of the recent beatings and arrest of a PANPRA activist from Petit Goave on trumped-up charges of membership in the Red Army. (The activist was released a few days later under international pressure.) The greatest frustration, Gilles said, is that there simply is no legal recourse. "Without the international community, Haiti would be ungovernable," he said.

ARISTIDE has always been able to use anarchy to his advantage. Leaving the organizing of his political movement to others, the populist demagogue has preferred to exert power by manipulating and relying on mobs to silence opposition from the Catholic bishops, parliamentarians, and

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fellow Lavalas members, as well as the militant Right. A few days before the 1991 coup, Aristide openly condoned "necklacing"—forcing a burning tire around a victim's neck. Under strong pressure from Bob Dole, the Clinton Administration recently acknowledged that it suspects Aristide's government was implicated in some of the 22 execution-style slayings of opposition leaders last year and in obstructing a related FBI investigation.

Last November, Aristide openly courted the mobs again, urging Haitians at large to disarm the Right, especially in "the neighborhoods where there are big houses and heavy weapons." This inspired gangs of youths to search citizens, their cars, and their homes, and to loot and set fires throughout Haiti.

One casualty of Aristide's disarmament-by-mob campaign was H. H. Cutler, an apparel manufacturer that provided over 5,000 jobs. Company representative George Sassine said that police and civilians broke into his home and terrorized the household in an unsuccessful search for weapons. A Solidarity-with-Aristide group in the U.S. meanwhile started a campaign to denounce the company. H. H. Cutler has since moved most of its contracts out of Haiti, eliminating all but 500 jobs. Sassine was exasperated: "Aristide had them search my house as if I were a criminal, and then the same month invited the Red Brigade into the National Palace for discussions. What kind of signal does this send?"

Aristide's desire to return to the National Palace is no secret. (Banners launching the presidential campaign for the year 2000 have already appeared in the capital.) According to a staff member of the U.S. House International Relations Committee, Administration officials, who until the Préval election resolutely championed Aristide, now admit in private he is not the democrat he was cracked up to be. With U.S. troops gone, and the UN presence scaled back, certainly he is to be feared more than the remnants of the militant Right.

President Clinton has proclaimed victory in Haiti. Congressional Republicans find it politically unappealing to insist that the U.S. stay engaged and salvage Clinton's policy. Yet by intervening we have acquired a certain responsibility for Haiti. Haiti's National Police need to be professionalized. The U.S. should also work to strengthen Haiti's parliament, judiciary, municipal governments, and the democratic opposition parties. Finally, the U.S. needs to investigate and expose Aristide's links to death squads, mob violence, and corruption.

A short distance from his new estate in the capital, Aristide has had erected a massive monument in the traditional metalwork style in tribute to Haiti's boat people—and well he should have. Without the pressure of tens of thousands of Haitian refugees, the U.S. almost certainly would not have intervened to restore him to power. The U.S. should remember the boat people too. It is only a matter of time before Haiti's desperate population takes to the open seas again and Haiti's problems again become our own. □

A Question of Democracy

JOSEPH DUNDIN

SEATTLE

THE defeat last November of Washington State's property-rights referendum may tempt one to think that the issue is dead in the Evergreen State. Washington is Ecotopia, after all, with more Birkenstock sandals per capita than Sweden has, and a tradition of radicalism going back to IWW days. So forget property rights in Washington, right?

Not quite. The stereotype applies mainly to Seattle and other cities around Puget Sound. In the late 1980s, this region's temperate climate and spectacular scenery, coupled with an economic boom the government had not managed to kill, were attracting newcomers fast enough to scare the people already here. Those for whom recycling is a religion demanded that something be done about "uncontrolled growth." The result was a series of enactments known as the Growth Management Act, which requires the state's larger counties to plan, in exhaustive and politically correct detail, for future increases in population. As implementation goes forward, voters in other parts of the state are beginning to realize what they surrendered for the sake of peace in Latté Land: not only property rights, but indeed control of their local governments.

As originally enacted in 1990, the GMA directed county and city governments to achieve "consistency" with the policies of adjoining jurisdictions. A basic question was left unanswered: How were they supposed to do that? This question arises from a contradiction at the heart of growth planning. The idea is to avoid low-density development—"sprawl"—at least until gaps in high-density urban areas have been filled in. But sprawl is the result of individual choices: low-density development happens because people want to live in low-density areas. And local elected officials are not going to stand in the way of what people want. So how was this contradiction to be resolved?

The answer, at once draconian and incoherent, came the following year. The 1991 amendments to the GMA require counties (which are designated as "regional governments") to adopt county-wide planning policies binding on the cities within them. Cities are to be involved in the "collaborative process" of developing them (the mechanics of that process were not specified until 1994). The governor is empowered to withhold revenue from any entity that fails to comply. Such sanctions would quickly bankrupt any local government, so there has been a scramble to get into compliance. Legislative courts known as Growth Management Hearings Boards were set up to resolve disputes.

The description alone suggests difficulties. Under Washington State's constitution, land-use regulation is a local police power: cities exercise it within their limits, and counties exercise it within unincorporated areas. As amended, the GMA empowers counties to adopt planning policies binding on the cities. The amendments include a disclaimer: "Nothing in this section shall be construed to alter the land-use powers of the cities." But the amendments would be meaningless if they did *not* alter the land-use powers of the cities. In fact, "shall be construed" seems to be the operative phrase: it is an invitation to

Mr. Dundin is a writer and lawyer living in Seattle. As a volunteer with the Northwest Legal Foundation, he helped prepare an amicus brief in Postema *v.* Snohomish County.

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the courts to look the other way and ignore a conflict between the statute and the state constitution. As we shall see, the Washington State Supreme Court has taken the bait.

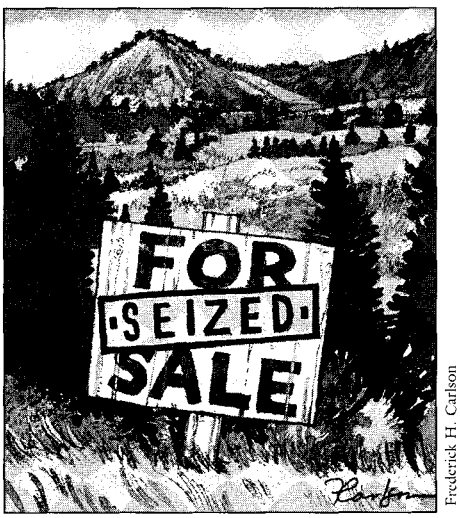
Under the amended GMA, counties are "recognized" as regional governments. But Washington's constitution provides for regional governments, and requires that they be approved by majority vote. The GMA makes no provision for voter approval, and no such vote has been held in any of the affected counties.

The "collaborative process" for developing county-wide planning policies, furthermore, collides with the "one-man/one-vote" interpretation of the Fourteenth Amendment, which requires equal representation of voters within any governmental unit. City voters in Washington vote in both city and county elections. As long as city and county governments perform different functions, this is not a problem. Within the "collaborative process" of GMA planning, however, each city voter has two votes to the one of each exurban voter in the same county.

The legislature sought to remedy this problem in 1994. The solution it came up with was weighted voting—by governments, however, not by voters. Agreements among local governments are declared to be effective when adopted by the county and a simple majority of the cities containing at least 75 per cent of the county's total population. Yet in *Board of Estimate* v. *Morris*, the United States Supreme Court found that a much more nuanced scheme of weighted voting violated the equal-protection clause. At least one lower court has understood *Morris* as a rejection of weighted voting in any form.

The first court challenges to GMA planning arose out of situations in which local voters circulated referendum petitions to reverse GMA planning decisions, and the county governments that had made those decisions sued the petitioners. Washington's constitution guarantees the right of referendum, and so do the charters of all home-rule counties in the state. But subjecting GMA implementation to local referendum would undermine the Act's purpose of removing the planning process from local control. Realizing this, and relying on legal arguments that were imaginative in the worst possible sense, Washington's Supreme Court held in *Whatcom County* v. *Brisbane* that referendum rights do not exist under the GMA.

In *Snohomish County* v. *Anderson*—another referendum case—and *Postema* v. *Snohomish County*, the court ducked the more fundamental question: Does the GMA violate the Washington constitution, the federal Constitution, or both? The court's maneuvering took place against the background of *City of Lynnwood* v. *Central Puget Sound Growth Management Hearings Board*. This case appeared to be something of a put-up job. The underlying dispute had been settled, and the plaintiff—the city government—pursued the case no more energetically than it had to to keep it from being dismissed. *Lynnwood*'s purpose, it appears, was to provide the court with a rationale for not deciding constitutional challenges to the GMA brought by individual citizens. The court accept-



Frederick H. Carlson

ed the invitation in *Anderson*, hinting that only government challenges to the GMA were justiciable.

That charade ended earlier this year. In December, Chelan County filed separate actions in the Washington Supreme Court and in federal district court, seeking an interpretation of the GMA. Predictably, the Washington Supreme Court ducked again, dismissing the state action for lack of jurisdiction. But the court also dismissed *Lynnwood*, choosing finally to notice that there was nothing left to decide in that case.

Chelan County is a different sort of government plaintiff. It is located on the "dry side" of the state, east of the Cascade Mountains, and its three commissioners answer to a more conservative electorate. However, no such restraint operates on eastern Washington's Growth Management Hearings Board: it is appointed by the governor. In December, the Board found several county ordinances "not in compliance" with the GMA. And under 1995 "regulatory reform" legislation—legislation passed by a Republican-controlled state house of representatives—the Board had a new tool for dealing with what environmental groups have called a "rogue county": the Board simply repealed the county's ordinances.

Read that last sentence again. A state board composed of appointed officials repealed ordinances duly adopted by the elected county government. If that can happen, local government has ceased to exist in Washington State.

Why did it take this long for even one county to object? And why did the City of Lynnwood provide cover for state usurpation of local authority? Ideology is part of the answer, but not all of it. The GMA is a grab-bag of goodies for the political classes generally. Both city and county governments receive GMA grant money. Also, each government is made less accountable: since planning policies are agreed to by contract between governments, each government can blame the others—or the Growth Management Hearings Board—for unpopular policies.

The state legislature, meanwhile, is out of the line of fire. If it had imposed regional planning directly, it could have stayed within the bounds of the state constitution, which provides that local land-use powers must yield to "general laws"—that is, to state laws. However, planning at the state level would have involved numerous politically unpalatable choices. Rather than make them, the legislature has located decision-making power in a political Twilight Zone, accessible only to planners, government lawyers, and other "experts."

This loss of voter control is the more profound evil of the GMA, transcending even the dilution of property rights. And it is, as the Marxists would say, no accident. In the view of planners and environmentalists, voters at the local level make the wrong choices more often than not. The GMA gets rid of the "fragmentation and parochialism" of traditional zoning by getting rid of voter control.

As the Chelan County litigation heats up in federal court, watch for property rights to re-emerge as an issue here. This time, two new questions will be on the table with it: How was local government abolished in Washington State? And, Why did the Washington Supreme Court look the other way while it was happening? □

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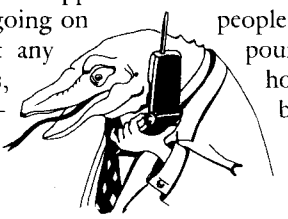
GEKKO

THEY call it Dr. Copper, the metal with the PhD in economics. That's not entirely fair, since the price movements in copper give a better sense of what's going on in the economy than almost any academic. In recent months, the strength of copper was reflected almost perfectly in the weakness of the bond, for example.



The current price of the metal may not so much predict the future of the economy as tell us what's going on at present. "Even that's pretty useful," says one bond trader of my acquaintance. "We're getting so many conflicting signals about the economy that it would help to get one indicator that would tell us where activity really is."

If copper is that indicator, right now it's flashing a signal redder than the metal's color. Back in mid May, the copper price, which had been trying to push above $1.25 a pound, suddenly plunged to just above $1.10.

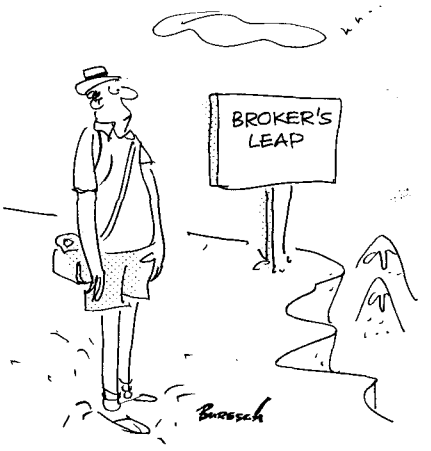
Now, there has been a lot of talk about massive, clever rigging of the copper market by certain trading houses. Certainly there has been a great deal of curiosity about the activities of a Mr. Hamanaka, who until recently had a lot to say about the copper-market activities of Sumitomo. His duties were apparently reorganized recently. As one copper-industry source told me, "When the [U.S. hedge] funds heard that Hamanaka was out, they decided to liquidate before Sumitomo did."

I called Richard Wilson, a copper-mining expert with Brooke Hunt in England, who keeps close track of physical supply and demand. "In the end the price of copper has to reflect the fundamentals," he said, in defiance of today's market wisdom. "We see the price of copper heading below $1 a pound by the end of the year. Consumption is not particularly strong around the world, and the copper market has an uphill battle. The relative strength in Asia is not offsetting the dismal economic situation in Europe. So we have supply growing by around 8.7 per cent this year, and demand, under our most optimistic assumptions, growing by 1.8 per cent. Based on what we see, the economy weakens in the second half. Some people were looking for $1.40 a pound this year—I can't see how they thought that could be reached."

Of course technical bounces over a couple of weeks don't necessarily tell you much about the economy. But if this copper-price weakness is maintained, the metal's past record as an indicator suggests that anyone—including Democratic pols—who is depending on continued strength in the economy should be worried.

■ If you have ever sat in front of a computer screen waiting for an Internet inquiry to go through, you are aware that surfing the 'Net is increasingly like paddling through molasses. Whether the problem is teenaged boys downloading Penthouse Pets, new America Online subscribers communing about astrology, or Iomega speculators egging each other on, the Infobahn is slowing to the pace of the Long Island Expressway on Memorial Day.

What's the solution? I asked that question of a long-distance company's CEO at an off-the-record analysts' meeting. Perhaps not surprisingly, he believed that the solution was more long-distance lines. I thought the problem might be more systemic.



Robert Van Renesse, a computer scientist at Cornell, agreed. "Currently, we have plenty of capacity in the long-distance links. That might change, though, when we go to having lots of video clips on the network. We need to design new protocols for the 'Net. The problem is that people cannot pay for a higher quality of service because everybody gets the same access."

In other words, the problem could be alleviated if people could pay for faster access. The issue is what is known as the tragedy of the commons—where everyone can use as much of a common resource as he likes, it's like a town green where everyone can graze his cattle for free. It soon gets chewed up.

Fortunately, Mr. (or Mrs. or Miss) Market comes to the rescue. Esther Dyson, the software guru and owner of EdVentures, says, "We absolutely should have user fees for the Internet tiered according to priority and security. That will happen. People don't like to pay extra, but let's face it, this will make the market more efficient. Tiered user fees won't solve the capacity problem, but they will make it less severe.

"The real problem is that the system is not efficiently configured. If we start charging for better service, it will be."

■ At the moment, my friends who make bets on the relative strengths and risks of whole economies are shifting their focus away from the European countries that had been their main playground in recent years. The "macro players" are looking to the peripheral markets such as Russia, South Africa, and Turkey. A bet on Russia is a little too much of a gamble for me, though some macro cowboys are piling in even before the results of the presidential election are announced. The Friday before Memorial Day saw a more than 20 per cent one-day jump in Russian stock prices.

But for the moment, it looks as if there could be some interesting opportunities in South Africa. You can earn 16 per cent yields on fixed-income instruments, while even the most pessimistic inflation estimates are for around 10 per cent.

But I'd be looking at going long on South African gold stocks while simultaneously selling the North Americans short. The South African golds are undervalued, and would benefit from another devaluation, unlike the bonds.

—JOHN DIZARD

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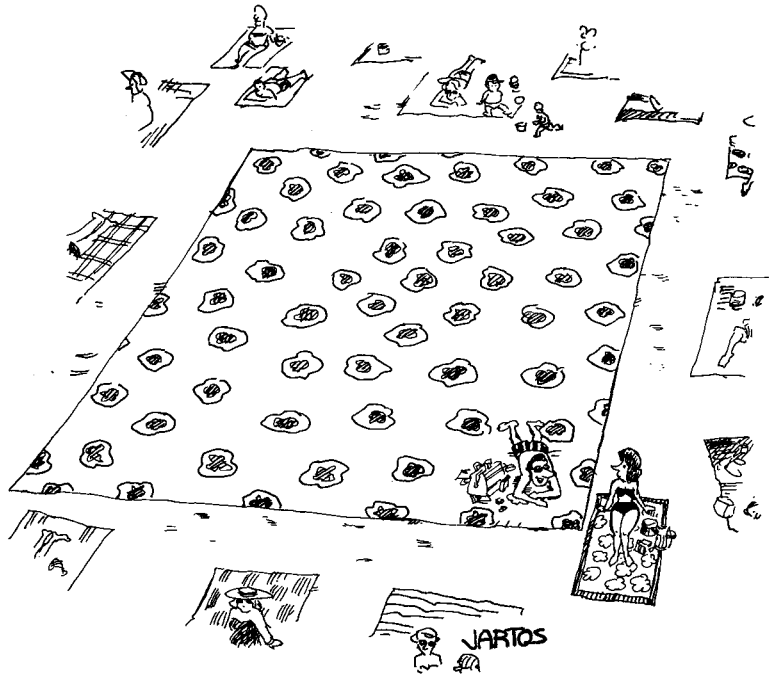
help!!!

The President's Most Favored

As China's pearlies glisten
Inside its awful maw
While, tethered to the lumber,
Hong Kong observes a saw
(The buzz kind) drawing nearer,
Some hail a fast sampan,
But Clinton thinks he's watching
A rented Charlie Chan.

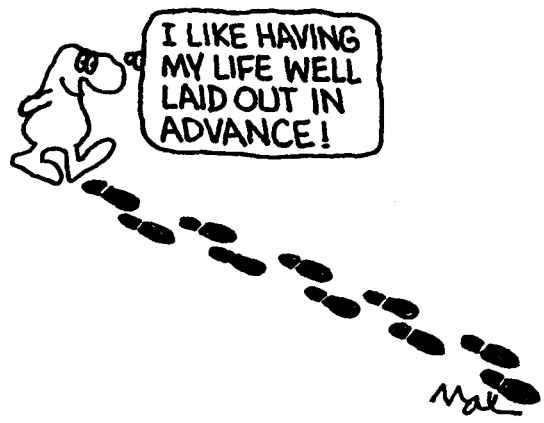
—W. H. VON DREELE

"We're under an immense amount of pressure. One of you has to be a women as soon as possible."



"Some people think I'm power hungry."

"His plane on fire, the WWII ace bails out over enemy territory armed only with his legislative experience and his mordant wit."



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Meanwhile... SOMEWHERE IN LONDON...
...HE'S BLOODY GAINING ON US!..
YO!.. WAIT! I HAVEN'T FINISHED TELLIN' YOU MY SIDE OF THE STORY!.....
O.J.
WALT HANDELSMAN

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LETTER FROM RUSSIA

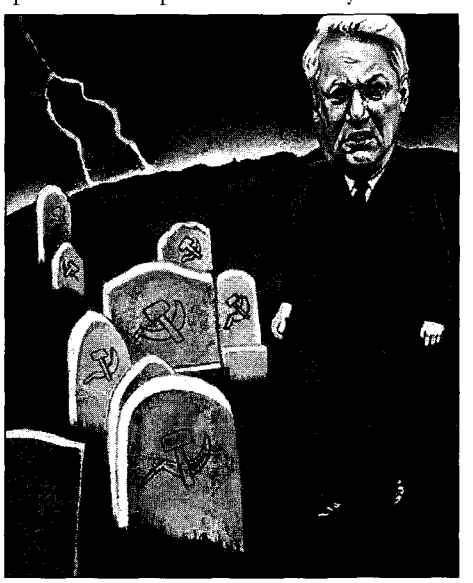
Rude Awakening

Five years after the break-up of Soviet Communism, Russia is in a state of anarchy, with its reforms in shambles and its Communists once again willing to proclaim themselves.

DAVID SATTER

THE afternoon light filtered through the linden and chestnut trees in the city park, and martial music played over loudspeakers attached to the branches as a large crowd waited in the humid heat for the beginning of a speech by Gennady Zyuganov, the Communist candidate for president.

After a day of campaigning in other parts of the pro-Communist Bryansk region 250 miles southwest of Moscow, near the border with Ukraine, Zyuganov had come to Klintsy, a dilapidated city of 70,000 full of weathered wooden houses and rusting five-story housing projects.



The mood of the crowd was both nervous and expectant. Virtually all the city's factories had been closed down and many people had gone for seven or eight months without pay. Klintsy was also in the heart of the Chernobyl radiation zone, and there had been no government payments for radiation exposure since February.

I asked a woman in a print dress if she was supporting Zyuganov.

"We will all vote for Zyuganov," she said, "because we want someone to give us our lives back. There are only two factories in the city that are operating. All the others are dead. We want to be able to work. Only the businessmen are wealthy. Everyone else is unemployed and hungry."

Others crowded around. "The children in school have nothing to eat," said a middle-aged woman. "In the fourth lesson in literature, my daughter fell into a coma. They said it was a sign of epilepsy but she is not the only one. The children are undernourished."

"The pensioners have nothing to live on," said another woman. "I worked for 41 years on the Boyevik collective farm. It's painful to work so hard and be left with nothing."

"The pensioners at least get something," replied a man in a worker's cap. "What about the workers? It's been seven months without pay."

"Everyone's nerves are on edge," said another woman, "We don't see any future."

WITH only two weeks to go until the presidential elections, the scene in Klintsy is typical of much of Russia. The country is seething with discontent, and there is widespread fear of violence.

At the end of May, most public-opinion polls showed Yeltsin moving into the lead, but Russian polls have a tradition of inaccuracy, and at least one opinion poll showed Zyuganov with an overwhelming lead. At the same time, all the polls are almost certainly underestimating the appeal of Vladimir Zhirinovsky, the head of the extreme nationalist Liberal Democratic Party.

The aggressiveness of the Communists, whose constituency includes pensioners, the poor, and others who feel cheated by the reforms carried out over the last five years, has inspired widespread fear. "If Zyuganov is elected and tries to redistribute property," said Vyacheslav Golubtsov, a local newspaper editor in the pro-Communist Kostroma oblast, "it will be extremely dangerous. Many of the banks belong to criminal groups who have no intention of giving up their property."

Many of Russia's new businessmen have taken steps to send both their money and their families out of the country in the event of a Zyuganov victory. At the same time, however, many doubt that Yeltsin will surrender power no matter who wins the election. General Aleksandr Korzhakov, Yeltsin's chief of security and closest confi-

Mr. Satter, a senior fellow at the Jamestown Foundation and a visiting scholar at the Johns Hopkins University School of Advanced International Studies, is the author of Age of Delirium: The Decline and Fall of the Soviet Union, *just out from Knopf.*

ILLUSTRATION BY BONNIE T. GARDNER

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NR West

Published in Conjunction with
The Claremont Institute

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Tortuous Reasoning

SIGFREDO A. CABRERA

ON August 14, 1993, a customer walked into a Kentucky Fried Chicken franchise in Redondo Beach, California. A few minutes later a robber entered, put a gun to her back, and took her wallet. The gunman then demanded that the cashier hand over the contents of the cash register, and the cashier claimed that she would have to get a key from the back of the store. In response, the robber pressed the gun harder into the customer's back and threatened to shoot if the cashier didn't comply immediately. The cashier did so and the criminal fled the scene.

It was highly fortunate that no one was killed during this armed robbery. That no one was even injured seems worthy of celebration and thanksgiving. In that light, the idea of an innocent and victimized bystander filing a lawsuit against an equally innocent and victimized business for an unprovoked, unforeseeable, and wanton act by a criminal third party would have seemed even more laughable than usual a few short years ago. But in an age where opportunistic litigants look on hard-luck experiences like winning the lottery, no one's laughing. Indeed, to fail to sue when bad luck strikes is construed by some as an abdication of rights—as if the Constitution guarantees freedom from risk. Thus the hapless customer present at the KFC hold-up filed suit against the restaurant, claiming "emotional distress" brought on by the cashier's attempt to delay the robber.

THIS suit's legitimacy was upheld at both the trial and the appellate level—a sad commentary on our civil-justice system—and the case is now pending before the California Supreme Court. Many eyes are focused on it there, for good reason.

Last month, in a related case, the U.S. Supreme Court handed down a decision aimed at imposing some rational limits on the awarding of punitive damages. The size of these awards has been escalating in recent decades: The first jury to grant over $1 million was in 1962. In 1975 there were fewer than twenty juries that did so. But in 1991 there were 750. In the recent case heard by the Supreme Court, an Alabama doctor had sued BMW for painting over shipping damage on a new car and selling it to him without disclosure. A jury socked BMW for $4 million in punitive damages, a figure that was halved on appeal by the Alabama Supreme Court. In a 26-page decision by a 5-4 majority, the high court called even the $2 million award "grossly excessive," and set forth some criteria—such as a ratio of punitive to compensatory damages—by which the former may properly be set and evaluated.

Another criterion suggested in the BMW decision concerns the character of the action being punished. In other words, the more reprehensible the action, the greater the punitive damage award may be. This brings us back to the lawsuit against KFC in Redondo Beach: What if the action is not reprehensible at all? What if one innocent party sues another innocent party simply because it has deeper pockets?

In fact, the American tort system—designed to deter negligent or reckless behavior and compensate for actual injuries—has deteriorated in our time to one that simply redistributes wealth regardless of fault. And while it is easy to blame liberal judges and unscrupulous lawyers for these developments, America's civil-justice system is actually being fueled by a new social ethic—a "take-what-you-can-get" ethic which blurs the distinction between responsibility and irresponsibility and sets law-abiding citizens of different economic strata against one another with no regard to justice. As one commentator has put it: "If people are filing crazy lawsuits and rendering crazy jury verdicts, part of the blame must be assigned to a deterioration of our shared cultural values. . . . Qualities such as resilience, toughness, forbearance, stoicism, and the ability to withstand adversity have been subordinated

(Continues on page West-4)

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WEST WORLD

■ Under the new "balanced" rewrite of the national standards for teaching history, the movement of the American people Westward is explained not only in terms of greed for land, but also in terms of a quest for freedom and an escape from crowded cities. And the consequence of that movement Westward is explained not only in terms of injustice to Indians, Mexicans, and Chinese, but in terms of . . . Oh well, back to the drawing board!

■ Arizona Governor Fife Symington has vetoed a bill to give judges the power to hike the sentences for criminals who commit "hate crimes," that is, crimes whose motives involve the victim's race, religion, gender, sexual preference, etc. We are generally for longer sentences, but we prefer punishing actions, not thoughts. A murder is a murder, after all. And do we really want to start dealing out different sentences for crimes depending on the races, religions, or whatever, of the perps and their victims? Symington is now suffering the hysterical reaction of the politically correct set—he has "given his okay to Arizonans to go forth and hate," don't ya' know! But this hysteria will pass, whereas 37 other governors who have taken the easy way and signed similar laws will have to live with the screwy repercussions for years.

■ Last month we reported a threatened boycott against a clothing chain because of its use in advertising of Sen. Ben Nighthorse Campbell of Colorado. Now a liberal state senator from Los Angeles, Hilda Solis, has called for a boycott of Almond Roca candy, because the cans in which it's sold are manufactured by a company owned by conservative Orange County state senator Rob Hurtt. "Don't give him more money to hurt . . . working men and women," she says. But what about the working men and women at Almond Roca? And isn't grocery shopping difficult enough already without this kind of politicization?

■ Former San Diego Superior Court Judges James Malkus and G. Dennis Adams were recently fingered by former judge Michael Greer (who already pleaded guilty to bribery) as having accepted thousands of dollars in bribes from Patrick Frega, a well-known legal defender of what the *Los Angeles Times* calls the "little guy." Alleging to have been wiped out financially by a divorce and unable to pay for his own defense, Adams begged the court to provide him with a public defender. His latest wife, San Diego Superior Court Judge Barbara Gamer, told the court that she would not help with her husband's legal defense, despite the fact that she earns $107,000 a year and, according to the *San Diego Union-Tribune*, has over a million dollars in assets. The call to compassion came full circle when Gamer, responding to public outrage over her refusal, said: "I can empathize with [the public] for feeling that way, but they should also empathize with me. . . . As a public figure, I cannot worry about what people think about every action I take." Despite precedents indicating that she is obligated to pay her husband's legal fees, attorney Mario Conte—renowned for his ability to defend public officials against bribery charges—has been assigned to defend Adams at the taxpayers' expense. What explains this sorry state of criminal justice[s]? One factor may be that Adams, Gamer, Greer, and Malkus were all appointed to the bench by former Governor Jerry Brown.

■ Talk about unintended consequences! When Californians voted for Proposition 187 in 1994, aiming to stem the tide of illegal immigration, how many of them could have foreseen that it would cause a 26 per cent drop in the number of young Latinos who use outpatient mental-health services? (This phenomenon is reported by U.C. San Francisco researcher Joshua J. Fenton.) We can think of two explanations. One is that this 26 per cent are legal aliens who, because of their mental problems, cannot distinguish legal from illegal aliens and so do not understand that Prop 187 poses them no danger. But we tend to doubt this explanation. After all, most liberals seem mentally incapable of distinguishing between legals and illegals, and liberals as a class have not quit seeking psychological help. The second possibility is that these missing patients are illegal aliens, who due to "progressive and persistent difficulties with staying in touch with reality," have been persuaded by months of unrelenting and outrageous Mexican rhetoric that Mexico is superior to the U.S. when it comes to human rights. So deluded, perhaps they returned home. We lean toward this explanation, and wish them well.

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■ A poll released last month by Oregonians for Fiscal Responsibility in Government found that a November ballot initiative allowing charter schools—independent public schools run by parents, teachers, churches, etc.—is favored 63 to 28 per cent in the state. This support cuts across party lines, but certainly also it cuts against the grain of liberal thinking on education, which tends toward centralization and homogeneity. A glimmer of hope for Oregon conservatives, who haven't had much to smile about of late.

■ One hundred years ago last month, in *Plessy* v. *Ferguson*, the U.S. Supreme Court upheld the "separate but equal" doctrine that used to justify Jim Crow. This case is primarily worth recalling for the lone dissenting opinion written by Justice John Marshall Harlan: "Our Constitution is color-blind, and neither knows nor tolerates classes among citizens. In respect to civil rights, all citizens are equal before the law." Harlan's principled constitutionalism was codified in the Civil Rights Act of 1964. But the intent of the '64 Act was itself overturned by affirmative action. So it was no mistake that California Assemblyman Bernie Richter tried to arrange for a resolution commemorating the Harlan dissent: Richter is a leading backer of the California Civil Rights Initiative, which seeks to end state affirmative action. Liberal members of the Rules Committee blocked Richter's attempt. Despite claiming to agree with Harlan's principles, their actions betrayed the fact that affirmative action contradicts legal equality. Nor were these liberals pleased with being forced to display their unprincipledness in public. Assemblyman Kevin Murray became so exercised that he referred to Richter as a "[very nasty expletive deleted] moron," for which he was later forced to apologize on the Assembly floor.

■ Meanwhile, affirmatively active bureaucrats in California's San Mateo County have achieved overkill. The Board of Supervisors' race-based and gender-based hiring goals have been surpassed, to the point where whites and men working for county government are in short supply. Men, for instance, are outnumbered by women in the workforce 62 to 38 per cent. Those responsible explain this with the usual doublespeak: There were never quotas, only goals. Hiring was on the basis of merit only—although care was taken to reflect the breakdown in the community. And looking to the future, the county manager insists there will be no special effort to recruit males. In fact, it has been pointed out that women are still under-represented among electricians and plumbers. Did the Irish ever have it as bad as San Mateo men?

■ As reported previously in these pages, Hawaii and California are the last two states that prohibit pet-ferret ownership, on the grounds that these creatures represent a danger to infants in the home and other animals in the wild. But the California Assembly has now voted in a remarkably bipartisan fashion to end the ban. As far as we can tell, Republicans support ferret ownership from a libertarian perspective. Democrat support is more nuanced. For instance, Assemblywoman Sheila Kuehl, of *Dobie Gillis* fame, signed on because ferrets make good pets for people with AIDS. (Cats and other traditional pets carry diseases which are dangerous to AIDS sufferers; ferrets don't.) We believe there's a lesson here about forging bipartisan agreements on other thorny issues like capital gains and grazing rights, but it'll take us a while to ferret it out.

■ We failed last month to mark one of the memorable events in baseball history. But late is better than never: In the bottom of the fourth at Dodger Stadium, twenty years ago on April 25, 1976, Chicago Cubs centerfielder Rick Monday raced across the outfield to save an American flag from being burned by two low-lifes. After handing the flag to Dodger pitcher Doug Rau, Monday returned to center field to a standing ovation. Monday recalls, "As the cheering died, everybody in the stands started singing 'God Bless America' . . . I stood there and got chills." Monday has received letters every week for twenty years from grateful citizens for his simple act of patriotism in a time when patriotism was out of fashion. This year he received a letter from a Vietnam veteran. "That Vietnam vet wrote that he was in a jungle hospital for eight months, and the only thing that kept him going was thinking about the piece of cloth. Twenty years later, he wanted to thank me for saving it." Monday is now an announcer for the Dodgers where, we trust, he will always have a home.

■ They've come a long way from Biblical morality in Spokane, Washington, where Elaine Blair, the "county health educator," is paying a group of 100 teenage girls $100 bucks a year, in weekly installments, not to get pregnant. Sort of the literal opposite of the wages of sin, we guess, except that these are minimum wages and sin's wages are nothing to cough at. That's the problem with not having national standards!

■ Actor Richard Dreyfuss is the latest in a parade of Hollywood types and other celebrities put up by President Clinton in the Lincoln bedroom. And we're delighted to report that Dreyfuss says he wasn't shy about sharing his political views. We're resting easier in that knowledge and trust you will too.

■ Timothy Leary, the LSD guru of the 1960s, is reported to be terminally ill in Beverly Hills. He has given up the idea of being frozen, but is still looking to go out in a newsworthy way. Indeed, his friend Ken Kesey, author of *One Flew Over the Cuckoo's Nest*, told the *Portland Oregonian* that how he should die is "all [Leary] talks about." One option apparently under discussion is to commit suicide on the Internet. We just hope there's not a modem in the Lincoln bedroom!

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CABRERA
(Continued from page West-1)

in favor of a 'get rich quick' mentality fueled by greed, envy, and self-interest."

As if lawsuits between innocent parties aren't bad enough, the growing phenomenon of suits being filed by or on behalf of criminals demonstrates even more dramatically the severity of the breakdown of our civil-justice system. For example:

—Last year, a southern California jury awarded $180,000 to a fleeing robber who was shot by police officers, on grounds that his civil rights had been violated. This criminal is currently serving a 32-year prison sentence for a residential burglary in which he tied up three victims and shot one in the head, blinding him.

—A 71-year-old man was being brutally mugged and choked in a New York subway station when a plainclothes transit officer shot the mugger. From prison, this violent second offender sued the New York Transit Authority for use of excessive force and won a $4.3 million verdict.

—The estate of a Massachusetts man, who stole a car from a parking lot and was subsequently killed in an auto accident, sued the lot's proprietor for failing to prevent motor-vehicle thefts.

—A teenager trying to break into a vending machine to steal drinks was crushed to death when the machine fell on him. His estate sued the soft-drink company and the machine's manufacturer, on grounds of improper design and lack of posted warnings about the danger of the machine tipping over.

Related to the convoluted thinking behind these absurd lawsuits, as noted above, is the idea that citizens' lives can or should be risk free. This not only encourages more lawsuits—over 850,000 were filed in 1992 in California alone—it is also crushing the spirit of American business. As Henry Fairlie observed some years ago: "The desire for a risk-free society is one of the most debilitating influences in America today, progressively enfeebling the economy with a mass of safety regulations and a widespread fear of liability rulings, and threatening to create an unbuoyant and uninventive society. . . . [T]he threshold of tolerable risk has now been set so low that the nation is refusing to pay the inevitable costs of human endeavor."

Of course the consumer sector of the economy is affected as well: surging liability-insurance costs, huge legal bills, large settlements, and unpredictable jury verdicts are imposing a heavy "tort tax" on every business—a tax borne by consumers in the form of costlier goods and services, not to mention fewer jobs and less investment in promising industries. To cite just two examples, this "tort tax" accounts for 30 per cent of the cost of a stepladder and 95 per cent of the price of childhood vaccines.

The KFC case now before the California Supreme Court provides a golden opportunity to reverse the current tide of senseless litigation, with all its rotten consequences. "This lawsuit should have been thrown out long ago," says Anne Hawkins, a Pacific Legal Foundation attorney who is filing an amicus brief in support of the restaurant. "The only individuals who should be held accountable for criminal conduct are the criminals themselves, not innocent victims who happen to have deep pockets."

We hear a lot about the pocketbook effects of America's broken tort system. Its more profound effect is to chip away at the principled sense of fairness that binds, and to a large extent distinguishes, Americans. All the more reason to change course now. □

Mr. Cabrera is director of communications at the Pacific Legal Foundation.

PUBLIC RELATIONS 101

Cardinal Vices

DAVID SACKS & PETER THIEL

LONG before Washington politicians discovered the strategy of "talk right, govern left," university administrators were mastering its use, paying lip service to conservative alumni *off* campus while using their contributions to fund liberal activism *on* campus. This strategy only works as long as its targets are kept in the dark, however, and recent events at Stanford University are shedding some long overdue light.

After the university developed a "Strategic Communication Plan"—a secret document outlining how to deal with alumni, the media, etc.—the plan leaked to local media and prompted an outcry. The backfiring of this often-blunt, 30-page public-relations blueprint may spark a new beginning in relations between elite universities and their alumni donors.

The centerpiece of Stanford's marketing strategy is a list of key words for faculty and administrators to repeat when dealing with the public. The approved "lexicon of hyperbole," as one professor called it, includes "incomparable," "challenging," "boundless," and "stunning." Despite the elimination of Stanford's Western Culture program, another key word is "Western," a term disfavored in every room on campus except, apparently, the Office of Development. (Oddly, the Strategic Communication Plan elaborates that "Western" connotes "warm weather"—a big plus.) The phrase "burning the midnight oil" is recommended to describe student life at Stanford, where the average grade is an A- and students receive academic credit for tennis and golf.

Some of the plan's tactical recommendations are tellingly at odds with its overall message. While urging faculty and administrators to trumpet Stanford's "diversity," it warns that "an institution must speak with one voice, not many," and that for maximum effect, a single message must be repeated for "continuity and consistency." Needless to say, it doesn't mention the university motto, "let the winds of freedom blow."

Similarly, officials are urged to tout alumni excellence, but the plan itself

Messrs. Sacks and Thiel are the authors of The Diversity Myth: "Multiculturalism" and the Politics of Intolerance at Stanford, *recently published by the Independent Institute in Oakland, Calif.*

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displays naked contempt for the intelligence of former students, directing that the university's public message be kept as "simple" as possible, so as not to exceed their "reading ability."

The document identifies Stanford's "independent skeptical faculty culture" as a major obstacle to conveying a positive image. "Independent" clearly does not mean intellectually diverse. Stanford's humanities faculty, for instance, is over 80 per cent Democrat. What it means is rather that the faculty can't be controlled. While administrators are capable of modulating their words off campus, professors are potential time bombs from a public-relations/fundraising standpoint.

History professor Kennell Jackson recently blew up, for instance, when his course on black hairstyles was exposed. Another ongoing liability is Donald Kennedy, the former president of Stanford who bilked the Federal Government out of millions in research funds and who now teaches a course on ethics. University apologists say that critics pick and choose marginal examples from among the faculty. But those they call marginal believe themselves—much more honestly—to be the norm.

Official communication "vehicles" identified in Stanford's secret PR plan include the slick alumni magazine and sporting events, such as the annual football game on Homecoming Weekend. The latter consists of a series of catered buffets and celebrity speakers with the Potemkin-like goal of keeping alumni from looking at the actual workings of the university. Never once in our combined 11 years at Stanford did we see an alumnus visit a classroom—which is obviously not an approved communication "vehicle."

Since the underlying purpose of Stanford's Strategic Communication Plan was to avoid an actual public reporting of current campus events, it is not surprising that the plan's leak to local newspapers has itself prompted a public-relations crisis. University President Gerhard Casper, who is acknowledged as an important contributor to the plan on its first page, was forced to disavow it, noting ruefully that it was "never meant for any press attention." Nevertheless, Casper said that he still plans to draw on the strategy in talks to alumni.

All in all, not a good reflection on an incomparable, challenging, boundless, stunning university. □

BALLOONS AND CIRCUSES

Juror Appreciation

SINCE O.J. rolled L.A., the criminal-justice system in Los Angeles County is suffering from a chronic case of what these days might be called low self-esteem. Everybody but the criminals, that is. It's the justice part of the system that's been hanging its head in shame since we cut loose the Juice.

I got a first-hand look at the problem the other day when I showed up at a court house in the eastern reaches of the county to begin my periodic, obligatory jury duty. No part of the justice system is suffering more acutely from self-loathing—or deserves to—than the jury sub-system. This, I soon learned, accounted for the balloons and crepe paper festooning the Jury Assembly Room when I arrived—and for the bowls of suckers, Animal Crackers, and Tootsie Rolls on the coffee tables.

It seems the whole of Los Angeles County was engaged in an effort to boost the self-esteem of the thousands of depressed citizens who are daily coerced into the degrading condition of serving on a jury in post-O.J. L.A. To accomplish this mission, the county was officially celebrating "Juror Appreciation Week." In each of the county's court houses, judges, jury commissioners, bailiffs, and other officers of the court were dragged out by fiat of some crazed bureaucrat to play their assigned role in a bizarre festival of civic psychotherapy.

In our case, this meant trotting out the presiding judge of the court amidst pink and blue balloons and party favors to tell a hundred or more blinking jurors how important they were, how they were appreciated not just this week but every week of the year, and how well the jury system worked compared to the alternatives (the only alternative he mentioned was trial by ordeal, and I thought I sensed a kind of wistfulness in his eye when he offered some colorful examples of it).

The judge made oblique reference to a "notorious case in the past year or so" which had given citizens a misleading impression of the character of the justice system. His circumlocution had an equivocal, possibly intentional, effect. The faces on several jurors told me that they had understood the judge to mean, "Don't give up hope. It is statistically possible for at least one Los Angeles juror out of a given twelve to be of sound mind." The vast majority of the faces registered: "Book deals are unlikely, but don't give up hope."

When the judge finished, the jurors applauded him uncertainly for appreciating them and he departed with what dignity he could salvage, passing the Tootsie Rolls without apparent temptation. Only then, one by one, did the attention of the assembled jurors drift to the Assembly Room television, whose sound had been turned down while the picture was left on during the judge's talk. And there, by some perverse Greek twist of fate, were smirking images of "O.J. in the U.K.," giving new and unappetizing penumbras of meaning to Simpson's on the Strand.

You could feel civic depression and legal malaise spreading like mustard gas through the room. It occurred to me that maybe O.J. was sponsoring Juror Appreciation Week. If anybody had cause to appreciate a jury, the Juice was the man. —IGNATIUS BOONE

"This is pure trash. I'll give you a million-five for it."

Mr. Boone has sat on a jury in Los Angeles County and convicted a guilty man of murder beyond a reasonable doubt.

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WHO'S MINDING THE KIDS?

Woes 2000

LEON MCKINNEY

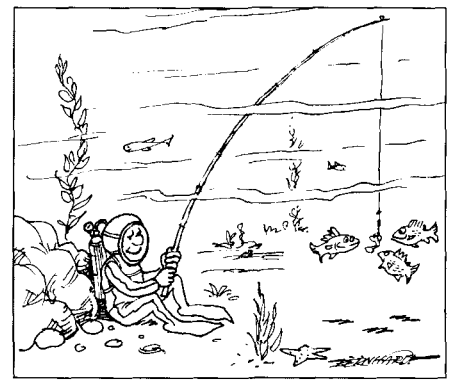
GOALS 2000 began as a package of education reforms developed by President Bush and various state governors. And although the list of objectives in the "Goals 2000: Educate America Act of 1994" are unobjectionable—kids will start school "ready to learn," their knowledge of math and science will be "world class," blah blah blah—it allows unprecedented influence by the Department of Education and its clients, e.g., the NEA. So the result hasn't been the "back to basics" emphasis on math, science, and language skills that surveys show parents want, but an acceleration of efforts to teach multiculturalism and other modern liberal dogmas under the catch-all name of Outcome Based Education. Sometimes this occurs covertly, as parents in Tustin—a city in Orange County, California—have recently found.

Late last year at a contentious Tustin Unified School District board meeting, superintendent David Andrews insisted that his staff was operating completely above board in applying for Goals 2000 money. This elicited jeers and hoots from parents. As it turns out, they were likely justified.

Andrews's staff claimed that all school site councils (SSCs) had been briefed on the district's Goals 2000 plans, pointing for proof to the various SSC presidents' signatures on the district's application for a $140,000 Goals 2000 grant. Karen Cipriano, an SSC president, reviewed her meeting minutes and found no mention of Goals 2000. Nor, she determined, was it discussed at any of the other SSC meetings. Cipriano admits that she signed the grant application, but says that the signature page—as opposed to the application itself—was all that she and the other presidents saw. Administrators apparently told them that their signatures were needed to release money connected to the Orange County bankruptcy and the district's business partnership program. A number of those presidents now assert that their signatures were fraudulently obtained.

School board president Jane Bauer subsequently ordered another round of SSC meetings to recollect signatures and resubmit the grant application. As per a memo from an assistant superintendent, however, these meetings did not provide a forum for discussion of Goals 2000. In fact, during at least one of them—at Arroyo Elementary School—only unobjectionable parts of the grant document were read, e.g.: "Our goal is to develop students who are lifelong learners, leaders, and responsible citizens. We believe that collaboration with other schools and professionals will insure and validate our efforts." Not so the controversial next sentence: "Goals 2000 will help us develop those connections and provide a structure for quality school improvement."

At the next school-board meeting, Goals 2000 was finally debated. Critics decried the mandatory language in the authorizing legislation: "must," "will," and "shall" are present throughout, indicating strings attached to this federal money that will threaten local authority. These critics were decried in turn as "so-called experts" who deal "in lies." In the end the board voted to accept the money.



Mr. McKinney is a freelance writer who lives in Huntington Beach, California.

As it turns out, perhaps this hub-bub over the grant was an unfortunate diversion. The widely feared result of Goals 2000—Outcome Based Education—was already insinuating itself in Tustin schools.

Barbara Duff's fifth-grade students at Loma Vista Elementary School, for instance, were starting their days saluting the "flag of the universe" until parents complained. These same students and their parents were also made to fill out "values profiles," containing inquiries into family relations, religious beliefs and habits, and racial and political views. These profiles yielded numerical values which supposedly provided insight into a child's—and his parents'—"values." This may seem benign, until you consider that one aspect of Goals 2000 is for schools to determine in which students' homes the government should intervene.

BOARD president Bauer responded to complaints: "It would appear that the district is using some new curriculum and instruction methods that may in fact reflect Outcome Based Education. Questionnaires that try to determine a child's and/or his parents' . . . values and practices are not appropriate. Regarding the teacher having her students salute a 'flag of the universe' . . . we've made sure that won't occur again."

Another indication of OBE's influence is the district's Worklink and Vitalink programs, which include developing electronic student "portfolios" with assessments by teachers and administrators. These are intended to follow students wherever they go, and can be acquired by colleges and potential employers. One parent went on an L.A. radio talk show with experiences that illustrate the problem. Her overweight daughter was being harassed and even assaulted by other students; the principal and psychologist decided the solution was not to punish the thugs, but to enroll her in a diet program. The psychologist explained that people who live in Tustin "should look like they belong." Who wants people with such inverted values—or anyone else, for that matter—entering data on their children into permanent electronic portfolios?

The scary thing is, if Goals 2000 and Outcome Based Education can gain footholds in such a conservative school district and such a conservative county, what is going on elsewhere? □

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New Desert Storm

RECENT controversial exhibits at our national museums reveal the power and insidiousness of politicized history. To cite but one instance, the Smithsonian Air and Space Museum had to revise an exhibit regarding the 50th anniversary of the Hiroshima atomic bomb, after various veterans groups protested its story line emphasizing the Japanese as hapless victims and true patriots. Among other historical travesties, the exhibit would have given the impression that Pearl Harbor and years of Japanese imperialist ventures had never taken place.

Such self-hating history may soon be revived by the National Park Service, which plans an exhibit at the site of the Manzanar Relocation Center. During World War II the U.S. government relocated 10,000 West-coast residents of Japanese ancestry to this otherwise obscure and desolate site in the Owens Valley of eastern California, near the Nevada border. (A total of 112,000 Japanese, two-thirds of whom were American citizens, were forced to leave their homes and were relocated to ten hastily constructed centers in the rural Western U.S. following Pearl Harbor.)

The Park Service currently offers entertaining and informative guides to historical sites throughout the country. But on Manzanar it runs the risk of reverting to the skill level it demonstrated in investigating Vince Foster's death.

Pressured by various Japanese-American groups, the State of California in 1973 installed a plaque at Manzanar referring to the "concentration camp" there. This misnomer sparked a fierce and emotional counter-reaction, charging the Park Service not only with historical error, but even with doctoring photographs to make camp conditions appear far more severe than they actually were: e.g., fire watchtowers became machine-gun fitted guard towers above barbed wire fences. In response, a Park Service historian flatly declares that "the idea that Japanese Americans were not confined behind barbed wire is nonsense."

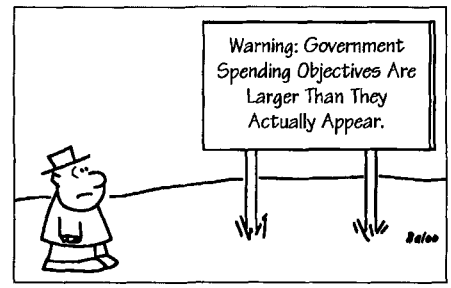
The moral indignation on both sides of the issue today reflects the divisions surrounding a decision which may have unnecessarily uprooted lives, and yet at the time appeared to be a reasonable and moderate response to a possible Japanese invasion of California. (See my review of *Democracy on Trial*, by the late historian Page Smith, in *NR*, August 14, 1995.)

A Jimmy Carter-era national commission claimed that racism and war hysteria explained the relocation and that $20,000 was owed to each "survivor." In 1988 President Reagan essentially agreed, signing a slightly modified "redress" bill into law.

The same consensus that produced this ethnic pay-off is reflected in (surprise!) the Smithsonian's American History Museum. In a moving reconstruction of camp life, the visitor must suffer viewing a video of late TV news journalist John Chancellor grandiosely condemning the relocation as a racist violation of the Constitution.

But this politically correct consensus runs afoul of the historical record. In fact:

—Following the attack on Pearl Harbor, a downed Japanese pilot took over the tiny Hawaiian island of Niihau for a week, by enlisting the aid of a Japanese American. After a Hawaiian killed the pilot, the Japanese American committed suicide. This bizarre episode must surely have worried officials about the loyalty of ethnic Japanese. Intelligence reports concluded that most were and would remain loyal—most were American born, after all—but that a very few would be actively pro-Japan.



—After Roosevelt Administration officials clashed over whether ethnic Germans and Italians should be relocated, voluntary relocation for the Japanese was recommended, to areas outside the West coast. That failing, the leadership of the 15,000-member Japanese-American Citizens League actually endorsed the forced resettlement program, to prove their patriotism.

—The relocation centers themselves encouraged evacuees to find work on the outside. Thousands of job offers went begging. Many, like my own parents, moved out of and then back into the centers for seasonal agricultural jobs. An uncle found a job in Chicago. Others could leave the centers to study at universities.

—Though the centers were essentially barracks, with little privacy, they could certainly not be called concentration camps. Our "camps" were more like small towns. According to Japanese American journalist and historian Bill Hosokawa, who was in a center, the barbed wire surrounding them was removed, following protests.

—The greatest dangers to the Japanese Americans in the centers came from the fiercely pro-Japan groups, who terrorized supporters of the American war effort. Just as all Americans can take pride in the fabled Japanese American units in World War II, so one must recall these traitors—who shared in the $20,000 redress payments!

GIVEN all these tensions, the National Park Service cannot possibly satisfy all the parties in the Manzanar dispute. Moreover, it cannot hope to evade controversy through its plans to use the exhibit to recall the region's prior agricultural and ethnographic history—thus fudging the reason for having any exhibit at all.

The Park Service should focus its attention instead on Abraham Lincoln's Civil War admonition that "the Constitution is not in its application in all respects the same, in cases of rebellion or invasion, involving the public safety, as it is in times of profound peace and public security." That would be a splendid beginning for an exhibit that might have extraordinary educational value.

—KEN MASUGI

Mr. Masugi is a senior fellow of the John M. Ashbrook Center for Public Affairs and the Claremont Institute.

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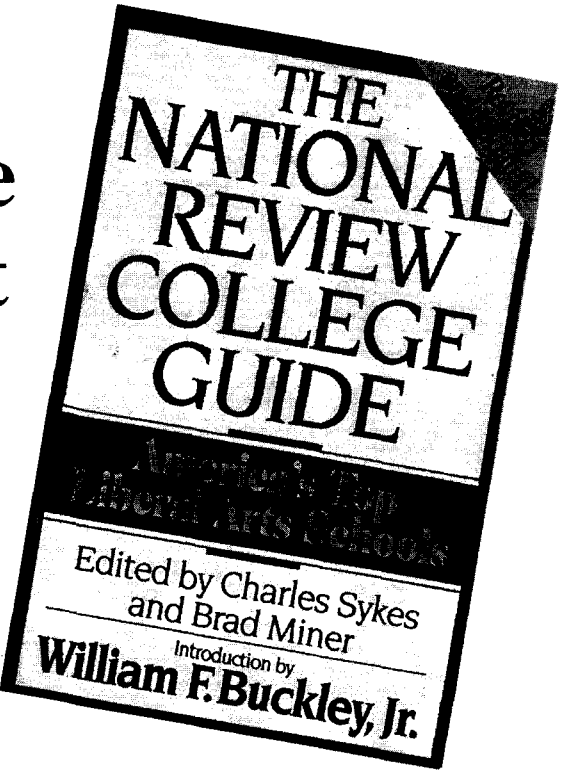

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dant, called in May for the postponement of the elections to preserve social peace. As one Yeltsin campaign aide put it, "We would like to win the election legally. But if that is not possible, Yeltsin is making plans to make sure that he stays in power anyway." In any case, there is widespread fear that Yeltsin will falsify the results. According to Kremlin officials, about one-third of the voters will not go to the polls, and the Communists are mobilizing 200,000 poll-watchers to make sure the non-voters' votes are not cast by others.

The election, in many respects, will be a referendum on five years of reform which have changed Russia beyond recognition. In a country where there were long lines for bread, the stores are now full of goods. In Moscow and St. Petersburg, where twenty years ago a Volkswagen drew a crowd, the streets are choked with traffic and there are many late-model Western cars.

Nonetheless, there is no guarantee that Russian voters will give a ringing endorsement of reform.

THE direct reason that millions of people are likely to support totalitarian parties is that across the length and breadth of the country, people are not being paid. The situation in Klintsy is typical: paychecks are anywhere from three to eight months behind, and there have been delays in paying pensions, family subsidies, and even "radiation" subsidies for those affected by the accident at Chernobyl.

People are not being paid because there is no money in the government budget. Russia has one of the most confiscatory tax systems in the world, taxing profits at over 90 per cent, but this has not helped the government to collect money. Faced with the choice of breaking the law or going bankrupt, businessmen in Russia regularly do most of their business off the books. Officially, the government collects 70 per cent of the money it requires but, in reality, the figure is believed to be closer to 50 per cent.

Until 1994, workers in the state sector got paid anyway because the government simply printed money. This, however, led to an inflation rate of 25 to 30 per cent a month, and after Viktor Chernomyrdin became prime minister, the growth in the money supply was sharply reduced. The result was that the inflation rate fell to about 3 per cent a month, but the payment delays started to lengthen.

In March, Yeltsin announced that all the money owed to those who should have been paid out of the federal budget would be paid. In practice, payment has been uneven from one part of the country to another, and in any case it does not affect the workers in factories which have been privatized.

These workers are supposed be paid out of the profits of the enterprise, but many of the privatized enterprises have been unprofitable. And so the directors of these enterprises regularly turned to the regional authorities, who tended to help them pay their workers. With the tightening in monetary policies, however, these requests began to be refused. As a result, workers in the "private" sector have not benefited even from the halting measures taken to pay state employees.

Besides the inability of the government to support Russian industry, another reason why workers are not being paid is that in many instances, local officials and factory directors are depositing the payroll in commercial banks in order to collect several months' worth of interest. Depositing money at high interest is a new experience for many Russians, and a psychology has grown up according to which pay for workers is a low priority. As a result, even if a factory director or regional official receives money for salaries, the money will not necessarily be used for its intended purpose.

Depositing money at high interest is a new experience for Russians, and a psychology has grown up according to which pay for workers is a low priority.

The consequences of the payment crisis have been grim. In provincial cities throughout the country children are undernourished and, in some cases, fainting from hunger. Chaos has been created in families, where workers have become dependent on their parents—whose pensions are still being paid, albeit with delays—or on their wives who are still receiving subsidies for their children. The life expectancy for men has fallen to 57 years, an all-time low for an industrial nation.

IT IS possible that even with the delays in paying salaries, the Russian people would have supported the reforms, but there is an atmosphere of moral degradation which drains people of the will to endure hardship. Its principal sources are knowledge of the reality of the privatization process and the growing domination of organized crime.

When the privatization of state industry began, workers were promised that they would be able to participate. But, this has not been the case. Recent years did nothing to lessen the difference in living conditions between ordinary citizens and members of the former Communist *nomenklatura*.

The years 1990 to 1992 were a period of transition for the *nomenklatura*, which was mesmerized by the opportunities that reform opened up for acquiring unearned wealth. The law on cooperatives made it possible for factory directors to

"Sorry—that's not on our list of approved churches."

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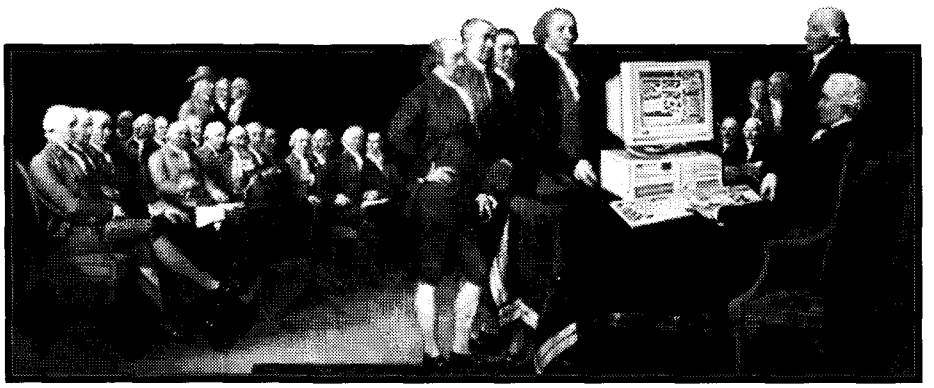

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attach commercial enterprises to their factories and, with the help of creative bookkeeping, divert vast amounts of state resources to private use. When prices were decontrolled in January 1992, these commercial ventures were already active and producing income that the factory directors could constantly reinvest.

For ordinary people, the situation was quite different. Everything they had was in their savings accounts, the value of which simply melted away in a few weeks of hyperinflation. As a result, by the time Russian enterprises were converted into joint stock companies and everyone was given a supposedly equal chance to own a share of Russian industry, the conditions were already grossly unequal. Workers had nothing but vouchers. These were issued to them for free, but most workers had to sell them under the pressure of sudden impoverishment. The directors and their close aides, at the same time, had vast sums of money which they could use to buy up shares, and they soon emerged as the factories' new owners.

At the same time as Russia was being treated to what became known as "*nomenklatura* privatization," the country began to be taken over by organized crime, a development that also had its roots in the period of *perestroika*. The first private businesses in the Soviet Union were organized at a time when it was illegal to have private guards, and they quickly became the victims of gangs, which demanded a share of their income.

At first, the gangs restricted themselves to extorting money from the operators of stores and street kiosks, but as they accumulated vast wealth, the criminals went into business and eventually took over banks. The result is that in Russia today virtually all major commercial structures, not to mention the smaller ones, either pay tribute to or are controlled by the criminal world. This is one of the reasons why doing business in Russia is so dangerous. The result of the competitive struggle for markets is frequently that one of the competitors is killed. At the same time, many sources of financing are mafia controlled, and anyone who falls into debt must fear for his life, because Russian criminals will kill a businessman over a debt simply to terrorize others. One year, criminals killed six thousand Russian businessmen and raided over seven hundred company offices, yet there has been little serious effort to investigate the overwhelming majority of these crimes.

Open Letter

DEMOCRACY cannot afford to lose in Russia, which is now an integral part of the free world. Its defeat would renew what was once perceived—realistically—as a threat to world peace. Therefore sometime before Sunday, June 16, the U.S., Great Britain, France, and Germany should issue jointly a statement emphasizing the concerns about the outcome of the election. This public appeal should be broadcast on the Voice of America, the BBC, Deutsche Welle, and Radio France Internationale, in Russian and other appropriate languages. —ARNOLD BEICHMAN

People of Russia:

The eyes of the Free World are upon you, the voters, in your coming presidential election.

We call upon you when you go to the polls on Sunday, June 16, to reject any candidate for president

1) Who does not forthrightly repudiate Russia's totalitarian Communist past; and

2) Who does not pledge to do everything to strengthen democracy and the rule of law.

There might be other tests as well. But a candidate who fails on these two tests should be repudiated June 16.

Interference in Russia's internal affairs? No, it is not. Some will argue it is interference. Well and good, but the reason for such action is obvious to freedom-loving peoples everywhere:

A Communist Russia is a dangerous Russia, a danger, first, to the Russian people themselves and, second, to its neighbors and even those far away.

For seventy years, the democratic world watched the dictators—Lenin, Stalin, Hitler, Mussolini—marching across Europe, wreaking havoc and carrying out destruction and genocide to fulfill their ideological ambitions. The free world looked away until it was too late. One hundred million lives and untold treasure were destroyed by dictatorships. Should the free world watch and say nothing while uncivil voices are heard in Russia clamoring to turn back the clock to those dark days which must never be forgotten?

World peace is at risk if dictatorship returns to Russia in the guise of a new democracy. If Bosnia was the world's business, how much more so is the future of democracy in Russia? If democracy is defeated in Russia, its neighbors in Central Europe and the Baltics would feel—justifiably—immediately threatened.

There are voices in Russia who have pledged to restore the Soviet Union that was, to re-establish—unbelievably—the Warsaw Pact. Are the Russian people, recalling the sufferings, sacrifices and servitude in seventy years of Communist rule, ready to welcome a restoration of a new police state pretending to be a land of freedom? Ready to welcome back the labor camps, the concentration camps in the name of democratization? Ready to welcome back stagnation, violence, and persecution in the name of what was once called "historical necessity"? Ready to accept the sacrifice of their sons in another Afghanistan?

People of Russia, we appeal to you when you go to the polls on June 16 to ask yourselves which candidate or candidates honestly stand for principled democratization and which do not. In your hour of travail, the free peoples of our democracies stand with you. We pray that your verdict will mean that you will continue the course you adopted five years ago and thus ensure the cause of world peace.

Signed,

President Jacques Chirac
President Bill Clinton
Prime Minister John Major
Chancellor Helmut Kohl

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A sign of just how far the situation has gone was the fate of Ivan Kivelidi, the head of the Russian Business Roundtable, an association of private businessmen. As of last July, nine members of the organization's board of directors had been murdered in the previous two years. Kivelidi was well known for his criticism of the links between corrupt bureaucrats, the old *nomenklatura*, and organized crime. So, in July, he announced his intention to organize and finance resistance to criminal terror against private businessmen. On August 3, he and his secretary, Zara Ismailova, were taken to the hospital with signs of acute poisoning. On August 7, the Ministry of Internal Affairs confirmed that they were the victims of radiation poisoning, reportedly from cadmium.

THERE is a mood of resignation surrounding the elections. It is common to hear someone say that voters face a choice between the "terrible" (Yeltsin) and the "unspeakably horrible" (Zhirinovsky or Zyuganov), in which case, the obvious choice is the terrible.

As matters stand, there are four candidates who are expected to do well in the first round of voting: Yeltsin, Zyuganov, Zhirinovsky, and Grigory Yavlinsky, the economist who co-authored the "500 Days" program for converting the Soviet Union into a market economy.

By all indications, Zyuganov has the support of pensioners, collective farmers, army officers who have not been paid, the indigent, and a large percentage of the workers who have not received their salaries. His strength is that he does not seem to have any serious competition for these voters, and their share of the final vote has been variously estimated at between 30 and 35 per cent. Their support could result in Zyuganov's coming in first in the first round of voting.

Yeltsin draws *his* support from young people, businessmen who enriched themselves during the period of reform, and Russians in all walks of life who want stability and do not want Zyuganov. Yeltsin's claims that a Communist victory could lead to civil war may be overdrawn, but they touch a responsive chord in people who want a quiet life, distrust the Communists, and are exhausted from decades of social transformations. Yeltsin is now expected to get 25 per cent of the vote, but polls, which may or may not be reliable, suggest his support is rising rapidly.

The third and most enigmatic candidate is Vladimir Zhirinovsky, who has performed better than expected in every election in which he has run. Zhirinovsky appeals to small businessmen, to Russian chauvinists, and to people living in border regions. He also appeals to those who see in him a man capable of taking decisive action to impose order. His voters often do not admit to pollsters that they intend to vote for him, which makes his share of the vote very difficult to predict. It could, however, be over 15 per cent.

This leaves Yavlinsky, who is popular with intellectuals and whose program calls for tax reform, job creation, and an immediate end to the war in Chechnya. Yavlinsky, aware that he is unlikely to win, has entered into negotiations with Yeltsin, but so far his asking price—the post of prime minister—has been too high. If, as expected, he runs, his vote is likely to be no more than 10 per cent, with the rest of the vote split among other candidates, including General Aleksandr Lebed and an eye surgeon, Svyatoslov Fyodorov.

Given this likely outcome of the first round of voting, the key to victory in a second round between Zyuganov and Yeltsin is the ability to win over the voters who went for the other candidates, particularly those who voted for Zhirinovsky and Yavlinsky. (The supporters of Lebed and Fyodorov are expected to vote for Yeltsin.)

Zhirinovsky has joined Yeltsin in warning that a victory for the Communists could lead to civil war, and he will certainly throw his support to Yeltsin in the second round if he does not make it to the second round himself. What cannot be predicted, however, is how many of Zhirinovsky's supporters would follow his advice. His voters are, by nature, oppositionist, and in the past they have been more drawn to the Communists than to Yeltsin despite the fact that Zhirinovsky has been a strong supporter of Yeltsin in the Russian parliament.

At the same time, it is also not clear whom Yavlinsky's voters will support in the second round. Many might support Yeltsin to head off a victory by the Communists, but anger with Yeltsin over corruption and the Chechen war, coupled with the belief that Yeltsin cannot be considered a democrat, may lead many of them to vote for "none of the above."

THE election June 16 will be the first presidential election in Russia's history as an independent state, and it may well be its most fateful. If the Communists win, nearly any of the measures that they have proposed—from freezing prices on some items to redistributing privatized property—have the potential for provoking either violence or economic collapse, in that way compelling new and more draconian coercive measures to keep a deteriorating situation under control.

If Yeltsin wins, however, it is not certain that violence can be avoided. Employing people without paying them is not a long-term solution for a modern economy, and the Yeltsin "democrats" no longer have the moral authority to institute far-reaching economic reforms. Eventually, many of the plants that produce products for which there is no demand will need to be closed, and adequate measures will have to be taken to provide for workers who are displaced. To do this, however, requires a state based on law and respect for individual dignity. This is what Yeltsin has not been able to provide.

What has happened under Yeltsin is that economic reform has been taken as an end in itself and a goal that justified any number of illegal and undemocratic practices. Under these conditions, the government has succeeded not only in unleashing the corrupt elements in a very fragile society but in discrediting for many the idea of reform itself.

Only a state based on law can start Russia on the path to a better future, but, on the basis of their records, this is something that neither Yeltsin nor Zyuganov can offer to the beleaguered Russian voter. □

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VOTE FRAUD IN AMERICA

Early and Often

Vote fraud used to be a crude tool of machine politicos. Now it is skillfully engineered by liberal reformers.

RICH LOWRY

ON ELECTION day, five men show up at a post office carrying luggage. Their bags are stuffed with 1,100 ballots, which will constitute 20 per cent of the vote cast that day. Some of the ballots have probably been filled out by the men themselves; others have been wrung from voters under the threat that they will lose their government benefits if they don't go along. The fraudulent ballots will help maintain in power a corrupt elite that regularly manipulates elections to its advantage no matter how people vote at the polls. Is the scene Guatemala? Honduras? Almost. In destitute Greene County, Alabama, democracy is practiced strictly Third World–style by the local black Democratic machine. "Races are being stolen here, there's no two ways about it," says Leewanna Parker, editor of the local *Greene County Independent*.

Absentee ballots should, according to the Alabama Secretary of State, account for about 3 to 4 per cent of all votes cast (only the physically infirm and persons who will be out of town on election day are eligible to vote absentee). But in 1994 in Greene County 34 per cent of all ballots were cast absentee. Besides the post-office incident, a local watchdog group attests to absentee ballots being stolen from people's mailboxes, voters being threatened with the loss of their public assistance, and batches of absentee ballots being sent to local Democratic officials. It all paid off. The chairman of the Greene County Commission, who otherwise would have had a tough race with an anti-machine challenger, won re-election handily, with 50 per cent of his votes cast absentee. Forget sending envoys to Haiti, local activist Pam Montgomery remembers thinking. "They ought to send them here."

In recent years evidence of vote fraud has cast doubt on the results of several statewide and federal races, a stunning failing of democratic practice in 1990s America. Yet fraud still gets short shrift in the national press. Except for a June 1995 *Reader's Digest* article and a chapter in Larry Sabato and Glenn Simpson's new book *Dirty Little Secrets* (an excellent, thorough account which touches on most of the cases dealt with here), vote fraud has gotten little play.

But if this political scandal has no resonance, it has lots of growth potential. The new federal Motor Voter law effectively mandates that state registration laws become more lax, and mail-in balloting—the most frequent vehicle for abuse—stands to get a boost nationally from Oregon's highly touted experiment with it in the special election last January to fill Sen. Bob Packwood's seat. In short, vote fraud, already a serious problem, is poised to get worse.

—In a notorious 1993 case in Philadelphia, Republican Bruce Marks ran against Democrat William Stinson in a race that would decide control of the Pennsylvania State Senate. Marks won at the polls by about 550 votes, but Stinson won overall with a 1,396 to 371 edge in absentee ballots. The Stinson campaign had gone into minority areas with absentee-ballot applications, falsely telling residents that they could vote absentee as a convenience. The campaign took the resulting 1,000 applications to the board of elections, the Democratic members of which improperly gave the applied-for ballots directly to the Stinson people. Campaign workers took the ballots back to the voters and talked them into voting for their candidate, or else simply filled out the ballot themselves. A federal judge awarded the election to Marks.

—In California's 36th Congressional District Republican Susan Brooks lost by 812 votes to Democrat Jane Harman, with absentees providing the margin of victory. Brooks workers compiled a detailed list of more than 2,000 apparently invalid votes. As *Reader's Digest* put it, "findings indicated that of 5,292 absentee ballots from 20 Venice precincts that went overwhelmingly for Harman, 1,337 (26 per cent) had been cast by voters whose addresses on the rolls turned out to be abandoned homes, empty apartments, vacant lots."

Mr. Lowry is NR*'s national political reporter.*

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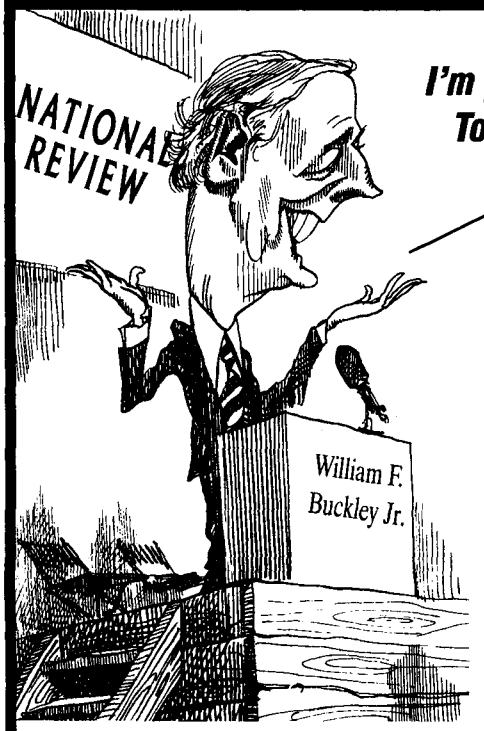

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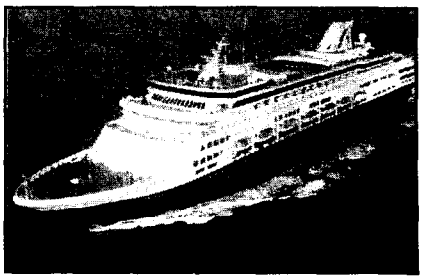

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Susan Brooks dropped her election appeal when it became clear it wouldn't have been resolved until this year (she is running against Rep. Harman again).

—In North Carolina's 7th Congressional District in 1994, incumbent Democrat Charlie Rose beat Republican Robert C. Anderson by fewer than 4,000 votes. Anderson subsequently produced about a dozen affidavits alleging a variety of electoral misconduct, including voter intimidation and tampering with ballot boxes. The alleged fraud was concentrated in heavily Democratic Robeson County, which gave Rose his margin of victory. A House task force found "serious problems with the electoral process in Robeson County," but

Illegal Representation

THE phrase "the politics of immigration" usually refers to debate over the merits of having large numbers of new arrivals into the United States. But immigrants also have a direct effect on who gets elected in America. Even without voting, immigrants determine representation.

For example, because the courts seem to believe the Constitution requires that even illegal residents count in apportioning districts, Juanita McDonald was sent to Congress from California's heavily Hispanic 37th District in March having won just 13,868 votes in a special election. (Her predecessor, Walter Tucker, had been convicted of bribery.) The same day, she won the Democratic nomination for a full term—tantamount to election in the 37th—with barely 10,000 votes in a nine-person field. By contrast, congressional victors across the U.S. usually amass more than 100,000 votes, and often that many total votes are cast in primaries.

The 37th District comprises the city of Compton, the Watts section of Los Angeles, and neighboring low-income areas. It used to be heavily black, but now is more Hispanic than anything else. Because relatively few of the Hispanics vote—many are not citizens—black politicians such as Juanita McDonald and Walter Tucker continue to dominate the elections. Absent felony convictions (or effective term limits), they remain in office as long as they like. The ethically challenged Mervyn Dymally represented much of the district until he retired (though he did not succeed in anointing his daughter to replace him—she was beaten by Tucker in a 1992 primary).

Such a congressional district qualifies as a modern version of the "rotten borough," a term used to describe landlord-dominated districts in Britain before the Victorian-era reforms. Peter Skerry, in his 1993 book *Mexican Americans*, applied the phrase to the political constructs of present-day California. They permit remnant voters in these hollow jurisdictions to exert, in effect, double the weight of someone choosing a House member in a normal area. And the 37th District is far from the worst such example.

Lucille Roybal-Allard inherited the seat in California's 33rd CD from her father, 30-year Rep. Edward Roybal, in 1992. This March, she was unopposed in the Democratic primary in this 85 per cent Hispanic district, drawing merely 14,445 votes. She will have only nominal opposition in November. In the 1994 general election, only a Peace & Freedom Party candidate opposed her, and only 41,508 total votes were cast. U.S. congressional districts have about 600,000 residents each.

Rep. Xavier Becerra, from the 30th district near downtown Los Angeles, drew only 21,310 votes to win renomination in March. He, too, is safe from any non-Democratic challenger. In November 1994, only about 65,000 total votes were cast in his race.

California has a few other low-turnout districts, including one in the agricultural Central Valley, and almost always, the winner is a Democrat—usually a left-liberal one and disproportionately likely to be a crooked pol (The smart and competent Rep. Becerra is the exception.) The one Republican who arguably benefits from this phenomenon is Robert Dornan, who survives in an Orange County district (50,126 votes for him in the '94 general) because most of his constituents cannot vote (they're Hispanic or Asian).

A few other states have been visited with enough immigration to witness similar skewing of the electoral process. New York has Rep. Nydia Velasquez, whose district is a four-borough collection of Big Apple Hispanics. Her primary isn't until September, but she got 13,208 votes against a fellow Democrat in 1994; in the general election, all of 43,000 people turned out. Rep. José Serrano, from the South Bronx, was unopposed in the 1994 primary and won by 58,512 to 2,257 in November. Same with Rep. Major Owens in Brooklyn, whose district has many black immigrants. He won the '94 general overwhelmingly, with fewer than 70,000 total votes cast.

In Texas, Rep. Gene Green, a Democrat representing the largely Hispanic areas along Houston's ship channel, won a contested renomination this March with fewer than 13,500 votes. In November 1994, he had won a second House term with only 44,102 votes—after outspending his GOP opponent by 60 to 1. Henry B. Gonzalez, when he even has opposition, draws a low turnout in his 60 per cent Hispanic San Antonio district. He collected 60,114 votes against his Republican foe in 1994.

In Florida, Republican Rep. Lincoln Diaz-Balart, a Cuban-American, won a contested 1992 primary with 15,192 votes and has run unopposed since.

Immigrant-studded districts provide fresh clay for molding the racial and ethnic gerrymanders that reached their outrageous extreme after the extension of the Voting Rights Act. (The law's name is ironic, given the non-voter power it helped to bestow.) Now the worst of these creations are being struck down by more conservative courts, but the damage will be felt for years.

Regardless of one's views on the economic and social implications of concentrated immigration, the distortions of America's political process wherever capitated district apportionment is used (state and local institutions may be even more affected than Congress) should be reason for pause. Just as the welfare network is ill suited to a policy of open borders, so, too, is "one man, one vote" as interpreted by our courts.

—Tim W. Ferguson

Mr. Ferguson is West Coast bureau chief for Forbes *magazine.*

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ruled there were not enough irregularities to swing the result.

—In July 1991, in the run-up to school-board elections in Fresno, Calif., the local chapter of the Black American Political Association of California launched its Voter Education Project. BAPAC's president described it as "a highly selective process of both voter registration and absentee-ballot applications. With some $10,000 in cash, equipment, and materials, we are projecting a landslide in seven of the elections and comfortable wins in the others." BAPAC workers went door to door registering voters and getting them to fill out applications for absentee ballots, which the workers illegally had sent directly to BAPAC offices. The ballots —roughly a thousand—were then taken to the voters, who would be pressured or duped into voting the right way. The California Supreme Court finally overturned these elections in 1993.

—In 1994 in Laredo, Texas, Cynthia Zunigapuig, running for a Webb County judgeship, noticed during a recount that many of the mail-in ballots had votes for her erased. Texas has loose mail-in voting rules, permitting anyone age 65 or older to mail in his ballot without witnesses or a notary signature. In Laredo, it turned out, campaign workers had been visiting elderly people to get them to fill out an absentee application, then returning when the ballots arrived in the mail to "help" them fill them out. A judge granted Mrs. Zunigapuig a new election. "We have had a recurrence of voter fraud in Texas over the last seven or eight years," says Austin attorney Buck Wood, who tried the Laredo case and attributes the rise to mail-in balloting.

FALSE registrations—of the dead, of voters who have moved away, of non-citizens, even of illegal aliens—is one major strand of voter fraud. This is especially virulent in California, which is the nation's model for electoral laxity. It has an absurdly loose registration system. No ID or proof of citizenship is required to register, and registration is permitted by mail. That, combined with the fact that the rolls are seldom "purged," accounts for the fact that as much as a quarter of the California rolls is "deadwood"—duplicate, dead, illegal, or non-existent registrants. Karen Saranita's under-funded but dogged Fair Elections Group, based in Torrance, Calif., has documented some of the absurdities: the Mexican who assassinated presidential candidate Luis Donaldo Colosio in 1994 registered twice in San Pedro, Calif.; "God" registered (as a Republican) in Hollywood; many children and pets are registered.

Many of the fraudulent registrations are the work of "bounty hunters," campaign workers paid per registration. In 1992 a group paying $5 per registration in Hawthorne produced 4,000 fraudulent registrations, according to the Fair Elections Group. Karen Saranita says the case caught her eye when she noticed on the rolls the name of someone whose funeral she had attended a year earlier. When the Fair Elections Group checked a burst of about 3,000 new registrations in the 39th Assembly District this year it found that, of its sample of roughly 250 new registrants, more than 200 were invalid (including 159 non-citizens). Indeed, bounty hunters routinely tell non-citizens that the laws have changed to permit them to register and vote. "They sent me the [sample] ballots and things," one non-citizen who has been voting since the 1980s explained to Channel 9 reporter Bill Gephardt. "I figured my name is on there, I guess I'm allowed to vote."

Any time there are people on the rolls who won't vote themselves (because they have moved out of the district or are dead or just never vote) it creates the possibility of fraud; other people can vote for them, especially in California, one of five states that require no

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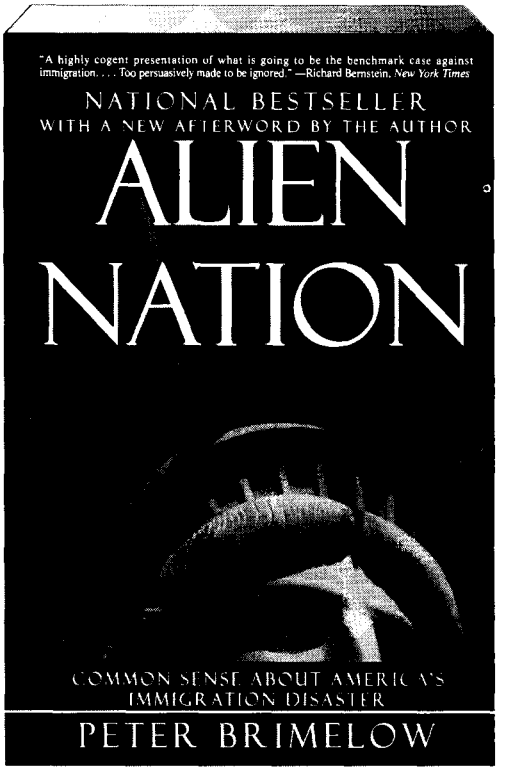
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ID to enter the voting booth. But as the examples above indicate, absentee voting poses a bigger risk, by taking the ballots out from under the eyes of poll watchers and making it possible for campaigns to get their hands on them. Hence the premium some campaigns put on getting voters to request absentee ballots (in California, campaigns are permitted to solicit applications directly). Until the late 1970s, California limited absentee voting (as most states still do) to cases of physical infirmity or absence from one's own district. In those days, according to Karen Saranita, about 4 per cent of Californians voted absentee. Now, when anyone can vote absentee for convenience' sake, the figure is 20 per cent.

THE combination of invalid registrations and extensive absentee voting can make for mischief. Take the 1994 race for California's 16th State Senate District in the Central Valley, which Republican Phil Wyman narrowly lost to Democrat Jim Costa. According to a report by Doug Swardstrom—at the time a Republican consultant—during the year and a half prior to the 1994 election Democratic registrations had declined in the Central Valley. But in the month prior to the election there was a spike of more than 9,000 new Democratic registrations. Fully one-third of the new registrants applied for absentee ballots. (In some areas, the trend was even more pronounced. In Tulare County, according to Mr. Swardstrom, of the 1,600 newly registered voters, 1,300 applied for absentees.)

Swardstrom enlisted canvassers to check new registrants in low-income neighborhoods in Fresno, where the Democrats' efforts were concentrated. A little more than 500 voter interviews were conducted, with almost 140 uncovering some sort of irregularity. More than 50 of the voters' descriptions of how campaign workers "helped" them with their absentee ballots included illegalities (punching holes in the ballot, telling them how to vote, etc.). Twenty other voters said they had refused such help. Even though 1994 was an off-year election, turnout was way up—as much as 264 per cent in one instance—in six cities in Fresno County where there are migrant labor camps. Mr. Swardstrom's canvassers were told by one woman that one of the camps featured a special drop box for absentee ballots.

But mail-in balloting isn't necessary for vote fraud, which in one-party areas can still occur by more old-fashioned ballot-box stuffing. Ellen Sauerbrey lost her Maryland gubernatorial race to Democrat Parris Glendening in 1994 by about 6,000 votes after late returns from Baltimore City wiped out her lead. Doubts about the election centered around the city's election board. "Local election boards," the *Baltimore Sun* editorialized later, "are among the last relics of a blatant cronyism system that was the hallmark of machine-era politics." In Maryland, the rolls are supposed to be purged annually, removing the names of those who haven't voted in the last five elections or have failed to respond to mailings. In 1994, Baltimore elections administrator Barbara Jackson failed to complete the purge, leaving at least 30,000 ineligible voters on the Baltimore rolls. Why does it matter? "If a registration list contains the names of persons who themselves will not appear at a polling place . . . the risk of fraud increases," Barbara Jackson herself had written several years earlier.

Failing to complete the purge contributed to a number of other voting irregularities. There were votes cast from abandoned buildings. Ellen Sauerbrey unearthed a number of apparent double voters. And there was a strange mismatch—numbering in the thousands—between votes recorded in Baltimore and the number of people checked off as present at the polls. Meanwhile, in a violation of accepted practice, security keys were left in some Baltimore voting machines all day. Two moving men were ready to testify that on election night they saw a chaotic scene at the Baltimore election warehouse: machines left open, machines with security keys still in them, one machine with a note attached reading, "Voting machine has been miscounted." When election workers heard that Sauerbrey workers were headed to the warehouse, according to the movers, they "were panicking." But Judge Raymond Thieme, who heard Mrs. Sauerbrey's election-contest suit, refused to allow the movers to testify.

"We've got a crisis here, Mr. Grissom. We've run out of 'Next Window' signs."

Which is just one example of the hurdles Ellen Sauerbrey faced in getting access to evidence and getting it into court. Judge Thieme, a Democratic appointee, repeatedly excluded evidence on the grounds that it wasn't based on original records, or that it wasn't presented in time to meet his fast-track timetable for discovery—when it was the non-cooperation or footdragging of Maryland officials that made it impossible for Mrs. Sauerbrey to comply. A nice Catch-22. The Attorney General's office, meanwhile, represented both the city board and the state elections board in the case, even though their interests were often opposed (the state board was in some instances sharply critical of the city board). According to Daniel Earnshaw, an outspoken former member of the state board, "the Attorney General's office did everything within its power to conceal evidence [and] to defend the criminal actions of elections officials from the Baltimore City board."

Ellen Sauerbrey's difficulties in her unsuccessful challenge are typical in one-party areas. When Republican Perry Hooper Sr. emerged as the winner of a tight 1994 election for Alabama Supreme Court Chief Justice over incumbent Democrat Sonny Hornsby,]Democrats turned to the courts. They sought to count 1,700 absentee ballots from Democratic areas even though the ballots had not been notarized or witnessed as required by law. The issue eventually reached the state Supreme Court. Three justices had contributed to their colleague Hornsby's campaign. Another had received $10,000 in contributions from the law firm of Hornsby's son, while Hornsby's lawyers had plied the court with generous contributions. The justices ruled—surprise—Hornsby's way. A federal court eventually threw out

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the invalid absentees and declared Perry Hooper the winner, equating the attempt to change absentee rules mid-course to "ballot-box stuffing."

Republican Bruce Marks had a similarly arduous road in his 1993 Philadelphia case. In Pennsylvania judges are elected and, in Philadelphia, all owe their jobs to the Democratic machine. When Marks tried to get the suspiciously high number of absentee ballots impounded the day before the election, Judge Gregory Smith, the son-in-law of a Democratic state senator, refused him a hearing. The next day the election judge, Eugene Maier, a former Democratic city commissioner, also refused. Judge Maier retained jurisdiction after the election and brushed aside all of Marks's challenges to absentee ballots. In a last-ditch effort, 50 voters filed to contest the election. The judge? Mark Bernstein, a former Democratic ward leader. He ruled the voters would have to put up a $50,000 cash bond to get a hearing. To get relief, Marks finally had to turn to the federal courts.

NATIONWIDE, thanks to 1993's Motor Voter bill, vote fraud stands to continue to thrive. Motor Voter imposes the fraud-friendly rules pioneered in California on the rest of the country. In addition to making it possible to register when getting a driver's license, the law forces states to permit mail-in registration, a big contributor to fraud in California. It actually forbids workers at government offices to challenge new registrants. The law also forbids states to conduct vigorous purges of deadwood. Under Motor Voter, a state cannot purge a voter who has moved without sending him a notice attempting to confirm his new address. If the voter responds in writing he can be struck from the rolls in his old area; otherwise, he can be struck only after failing to vote in two federal general elections. Under Motor Voter, that Mexican assassin who registered in 1990 and re-registered in 1993 could not have been purged until November 9, 1996 (provided he didn't vote).

It is partly an accident of circumstance that vote fraud primarily benefits Democrats; they dominate traditional one-party areas in the rural South and the cities. But legislation like Motor Voter, which passed with nearly unanimous Democratic support, is no accident. As Rep. Bob Livingston (R., La.), a lonely voice against Motor Voter in 1993, pointed out at the time, any ineligible voters swept up by the new rules will surely vote Democratic. In the tension between ballot access and security, the Democrats are natural allies of access. Motor Voter declares that "discriminatory and unfair registration laws and procedures can . . . disproportionately harm voter participation by various groups, including racial minorities." As defined by Democratic-oriented interest groups, any electoral safeguard qualifies as unfair; the Mexican American Legal Defense and Educational Fund (MALDEF) defines requiring an ID to register and to vote, banning bounty hunting, ending mail-in registration, and purging voter rolls all as discrimination "against voters who appear 'foreign looking.'"

To its credit, California is moving to a statewide voter file and adding a space on voter-registration forms for driver's-license numbers, two innovations that will cut down on deadwood. But more serious reforms like requiring an ID to vote get eaten up by the Democrats and MALDEF. Elsewhere, Democrats assiduously protect the status quo. In Alabama, Democratic members of the State Senate's election committee stopped showing up at meetings in April so they wouldn't have to consider reform legislation. The committee eventually defeated an absentee-ballot reform bill. Two other bills—one to reinstate the requirement that an absentee ballot be witnessed, the other to require an ID to vote—died in May thanks to the exertions of Democratic Lt. Gov. Don Siegelman. (Siegelman maintains he is worried that the bills would discriminate against the poor and minorities).

The other implicit accomplice to fraud is often the press, which reserves its outrage for scandals like Newt Gingrich's college course. There are exceptions. The liberal *Philadelphia Inquirer* launched a wide-ranging investigation of the Marks case. Marks recalls that when an *Inquirer* reporter first called him about his allegations it was with a put-upon air. Soon enough, the paper was running devastating stories. But that is not the usual tendency. "The difference in my case was the lack of a crusading, investigatory press," says Ellen Sauerbrey. Indeed, the coverage of the Sauerbrey challenge was unenthusiastic at best; the discrepancy between the number of votes recorded in Baltimore City and the number of voters checked in at the polls, for instance, got buried.

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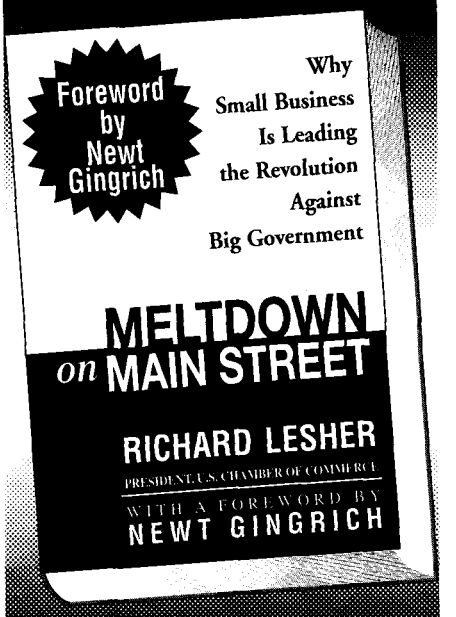
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What didn't was the sense of satisfaction of some in the press, especially *Baltimore Sun* writers, when her case got quashed in court.

Vote fraud would be easy to discourage if those in control of state legislatures could be shamed into doing so (and were released from the strictures of Motor Voter). Three easy measures outlined by Sabato and Simpson are: scaling back and tightly regulating mail-in voting rather than following Oregon's lead; requiring voters to show ID when voting; requiring a so-called unique identifying number to register. But the most serious blow against fraud would be if the political culture began to treat it more seriously, the surest sign of which would be more prosecutions for violating electoral laws. There are occasional prosecutions today, but even they aren't always comforting. In Baltimore this spring five people were fined for false voting in 1994. All five were employees of the Baltimore election board. □

Can We Educate Republicans?

How Republicans can take back the education issue from President Clinton.

CHESTER E. FINN JR.

ADOPTION, welfare, crime, and gas prices aren't the only items on Bill Clinton's list of Republican issues to co-opt this year. He's also playing the education-reform fiddle like a Stradivarius, while Bob Dole, the 104th Congress, and the GOP in general have been unable to make any music on what some surveys say is the top issue on voters' minds.

At the recent education "summit," Clinton was masterly, delivering a speech that Ronald Reagan could happily have given. Far from touting federal education programs and pressing to fatten their budgets, he said next to nothing about Washington. Rather, he saluted the governors and business leaders in the audience as real education reformers. He endorsed higher standards—and scoffed at the infamous national standards for history and English. He said little about his cherished Goals 2000 program, disingenuously depicting it as a way to "give greater flexibility to the states . . . and to try to promote reform without defining how any of this should be done." He endorsed hard work and accountability for students: "In the world we're living in today, 'Does it count?' has to mean something, particularly in places where there haven't been any standards for a long time." He argued for "no more social promotions, no more free passes . . . an assessment system with consequences."

He lauded basic skills, "begin[ning] with a concrete standard for reading and writing." He said technology is fine (this is the Administration that wants to connect every school to the Internet) but "should be used first to give children the proper grounding in basic skills."

He urged holding principals accountable for their schools' performance. He even (though a mite gingerly) okayed off-loading bad teachers, saying, "There ought to be a fair process for removing teachers who aren't competent, but the process also has to be much faster and far less costly than it is."

Sounding another GOP theme, he declared that fewer dollars should be squandered on school bureaucracy. "We cannot ask the American people to spend more on education until we do a better job with the money we've got now." Within limits, he even welcomed school choice. Not vouchers, mind you, but "more options for parents," charter schools, and schools that "stay open only if they do a good job within the public-school system."

He spoke solemnly of schools free from violence and drugs, drawing applause when he observed that "This entire discussion . . . is completely academic unless there is a safe and a disciplined and a drug-free environment in these schools."

He mentioned character education and religion, asserting that recent guidelines issued by the Education Department showed "that our schools don't have to be religion-free zones."

For their part, the Republican governors, although they had a healthy majority at the summit, did not even get their issues on the agenda. For the sake of bipartisan consensus, they refrained from mentioning vouchers, parent rights, school prayer, teacher unions, and kindred obstacles to real reform. They were mute on the myriad ways whereby the Administration's actions belie the President's words. Nor did they summon a prominent GOP speaker to balance him. No Bob Dole. No Bill Bennett. No Lamar Alexander. And Newt Gingrich, who gives a heckuva speech on education, was reportedly vetoed as "too political."

THE summit, in short, was a cameo version of how education as a whole has played in Washington this past year and how it's likely to play in coming months unless something dramatic happens.

After the 1994 election Republicans promised that the Education Department would be eliminated, the federal role downsized, Goals 2000 repealed, and control restored to parents and communities, but essentially nothing has actually been done. Though some obnoxious features were finally trimmed from Goals 2000 (with Administration acquiescence), it and its Department remain vigorous. Nothing has been block-granted, nothing voucherized, nor anything of significance scrapped. The Democrats deftly depicted Republicans as "anti education" rather than "anti federal control." The GOP did a woeful job of making its own case. Ultimately, it failed even to enact a tiny District of Columbia "scholarship" program to help a handful of low-income minority youngsters escape from some of the nation's worst public schools.

Education reform fared marginally better in the House than in the Senate,

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whose leadership displayed little interest and no game plan. If that remains true of Bob Dole, Clinton will wipe the schoolroom floor with him.

Yet this issue could so easily be a Republican strong point today, as it was a few years back. A powerful and convincing GOP strategy would rest on three legs.

The first, of course, is unabashedly to become the party of education's consumers, tying the teacher unions and other "producer" interests around the Democrats' necks. This should be a cinch so long as members of the National Education Association and the American Federation of Teachers make up the biggest bloc of Democratic convention delegates, meaning that neither platform committee nor President is free to do anything that truly discomfits them. And numbers hugely favor whichever side wins the consumer vote: for starters, the U.S. has 50 million schoolchildren, compared to 2.7 million teachers. Republicans could also seize the moral high-ground; nobody likes teacher unions, and few have kind words to say about the rest of the "education establishment." While it's worth distinguishing between the unions and thousands of honorable and hard-working teachers who are ill-served by them, nevertheless the GOP could easily and properly make itself into the party of parents, children, taxpayers, employers, and other education consumers.

Second, the Republican theme song should be getting Uncle Sam off the backs of schools, teachers, and parents. Deregulate. Devolve. Block-grant. Don't come up with fancy new programs—but don't cut education spending, either. (Just as Democrats always win the bidding wars, they're masterly at depicting GOP budget trims as anti-child plots.) Transform those federal dollars into forms that are controlled by governors, communities, principals, good teachers, and especially parents. Take them away from bureaucrats and interest groups. Bob Dole is renowned for his affection for the Tenth Amendment, and no policy domain cries louder for such treatment than K–12 schooling. Nor is there a shortage of plans on the shelf. When he was still a candidate, Phil Gramm proposed giving half the Education Department's money to the states as block grants, the other half to parents as vouchers. Former Secretaries Alexander and Bennett have a slightly more complicated scheme that has already been turned into a bill by Senator Dan Coats. The ideas are there to be mustered. And since they don't need an Education Department to put them into practice, that unloved agency could also be sent to its reward.

The third leg of a sound GOP strategy is to pound home the Clinton Administration's massive hypocrisy. Despite the rightward lurch of the President's campaign rhetoric, his education people still govern left.

—The President told the summit that he wants states to give "tests with consequences," but when Ohio did so last year the Office of Civil Rights came down on it like a ton of bricks because of the "disparate impact" on minority youngsters. (In fact, the racial difference in passing rates was tiny.) Only when House Republicans intervened with Secretary Riley, pointing out that the OCR was contradicting Riley's own stated views, did the bureaucracy back off. Other state education officials say they are daily harassed by the OCR over similar issues.

—Though some of Goals 2000's sharpest edges were blunted by Congress (that program's money can now be used for almost anything a state or community might want to do), one surviving provision bars recipients from spending these funds on precisely the kinds of "high stakes" tests that the President claims to want.

—Clinton says he favors deregulation and supports charter schools, but the charter schools I've visited are snarled in federal red tape. Special education is the worst offender, but even so banal a program as subsidized lunches has grown paralyzingly inflexible.

—The President says he's for assessment, but his Administration keeps hamstringing the one truly useful thing the Federal Government does in this area, the National Assessment of Educational Progress.

—He says he's for school choice, but his union-induced flip-flop on the D.C. appropriation is the main reason that poor children in Washington now have no scholarships to give them a real shot at decent schools.

Clinton, in short, brilliantly talks the talk that once belonged to Republicans. But dozens of his appointees spend their days ensuring that his Administration doesn't walk the walk. Illuminating that

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Children's Rights	Safety and discipline
"It Takes a Village"	Parents' rights
"Public-school choice"	Any school you like
"Information highway"	Hard work and practice
No "disparate impact"	Tests that count
Department of Education	Who needs it?

discrepancy should be a snap for even a moderately capable GOP campaign team.

That's the strategy. All it needs is someone to orchestrate and articulate it. If Bob Dole is uncomfortable with this issue, capable surrogates abound. Messrs. Bennett and Alexander are obvious choices. So are such former top Republican education officials as David Kearns, Gary Bauer, and Diane Ravitch. And a platoon of sitting and former governors have won their spurs in this area, starting with John Engler, Tommy Thompson, Bill Weld, George Allen, Tom Kean, and Carroll Campbell.

Bumper stickers and ad campaigns aren't hard to devise, either. Imagine a super-simple education plank in the 1996 GOP platform that looks something like the chart above.

If anyone needs another reason to bestir himself about education, bear in mind that Ross Perot both talks it well and has walked it bravely. He gained more scars battling the school establishment in Texas in the 1980s than either Clinton or Dole can display in this area. And it's the perfect issue for a populist campaign. □

Debating Abortion

The best response to a debater's question is a debater's answer.

FRANCIS CANAVAN

AS Bob Dole prepares to start campaigning in earnest, he should pause to reflect on one feature of the primary season that is sure to carry over to the campaign itself: the debater's questions on the subject of abortion that female reporters put to candidates.

For instance, last February four Republican candidates for the Presidency were debating in South Carolina. Predictably, inevitably, a woman reporter got up and asked a loaded question: "If I were raped by a vicious criminal and became pregnant, would you oppose a first-semester abortion, knowing that a continued pregnancy would cause me mental and emotional anguish?"

As reported in the *New York Times* the following day, Senator Dole said he would oppose it. But after Steve Forbes and Lamar Alexander said that they would permit the abortion in the case of rape, Dole agreed that he would do the same. Only Pat Buchanan said he would oppose such an abortion.

I wonder, however, why candidates for elective office do not have the intelligence and the courage to tell the lady (who invariably turns up at every debate) that she is asking a debater's question designed to draw attention away from the real issue. Pregnancies due to rape amount to no more, and probably less, than 1 per cent of all pregnancies. The real issue is posed by the fact that there are one and one-half million abortions in this country every year.

This figure is constantly printed in the press. One example from some years back is a statement by Philip J. Hilts in *The New York Times Magazine* on December 16, 1990: "Abortion serves as the method of birth control for 1.6 million women in the nation. At least half of them turn to abortion after their chosen method of contraception has failed." Other sources report that abortion terminates between 25 and 30 per cent of all pregnancies. These figures remain pretty steady from year to year.

That reality is the issue worth debating. Why not answer the debater's question by asking what we are prepared to do about it? The reporter might not be willing to do anything about it. Possibly (probably) she would come back with another standard debater's question: "Suppose it were your wife or your daughter who was raped?"

Why not reply by saying that what I personally would be tempted to do in such an extreme case is not the issue? Let's talk instead about what we are prepared to do as a people to reduce the enormous toll of abortion. When we come to the extreme cases of rape, incest, or saving the life of the mother, you vote your way and I'll vote mine—and I see no need to tell you now how I will vote then. In the meantime, will you please stop dodging the issue with your debater's questions about hard cases, as if they were the most important or, indeed, the only ones?

But since you have asked a debater's question, I'll give you a debater's answer. Laws not only forbid certain actions as crimes, they must also state the penalty for committing them. *Nulla lex sine poena*—there is no law without a penalty. Death can be the penalty for murder, but it is not the only one, because the law recognizes differences of degree among murders. Laws forbidding abortions could and surely would do the same.

American law in fact has not forbidden abortion when the life of the mother was at stake. But, for the sake of argument, I will make a fanciful proposal. Since I am only offering a debater's an-

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swer, let us suppose a law that forbade all abortions, even one to save the life of the mother (not that I expect such a law ever to be enacted). The penalty for abortion would fall not on the mother but on the doctor and on all of his assistants.

The woman might be morally just as guilty as the doctor, but man-made positive law punishes crime, not sin, and punishes in the way judged most effective in preventing or diminishing instances of the crime. The penalty for performing an abortion to save the mother's life, therefore, would consist in forbidding any of those who took part in it to collect any fee, directly or indirectly.

Let the medical people, once in a blue moon, do an abortion for free. But, you may say, such a law would be impossible to enforce; doctors and patients would certainly find ways to get around it. True enough, but it would put all professional abortionists and clinics specializing in abortions out of business. Whatever might be the difficulty of enforcing the law in rare and exceptional cases, professional abortionists could not get away with constantly violating it. It would also make obstetricians working in hospitals think twice about performing abortions for which the law allowed no payment. If you insist, the law might even permit abortion in the case of rape or incest, *if no one were allowed to make money on it.*

Do I seriously expect any candidate to make such a proposal? No, it is only a debater's answer to a debater's question. But when the omnipresent woman reporter asks her debater's question, I would love to see some candidate toss it back at her and ask if she would be satisfied with a law that permitted abortion only if no one got paid for doing it. If she fudges her answer, ask if there are any limits on abortion that she would accept. If not, point out that what she really wants is abortion on demand, so let's talk about that. If she is willing to accept some limits, one could say, "Very well, let's start there, and see how far the people are willing to go."

For we must remember that positive law is not simply a restatement of a moral principle. Nor is law merely the translation of a moral principle into a legally binding command or prohibition. Politicians, therefore, should not be accused of betraying the principle if they stop short of its full reach in the laws they enact or enforce. On the abortion issue it would make sense to start with what a candidate can advocate with some hope of achieving it.

If the question is asked, "How far would *you* be willing to go in turning back the tide of abortions?" a perfectly honest answer would be, "As far as the people and their elected representatives are willing to follow me." No President or governor can make laws by himself or go very far in shaping policy without public support, even in framing policies that are within his legal powers. A question that implies that he can is, again, a debater's question and should be treated as such.

But there are things that a President *can* do. For example, he could offer strong leadership to Congress in refusing federal funds to abortion seekers and abortion providers. He could also take the position that the Reagan Administration took at the UN population conference in Mexico City. It was the opposite of the position that the Clinton Administration took at the later population conference in Cairo.

Before the Cairo conference, the Clinton Administration sent a directive to all U.S. embassies stating that "the Unit-

(Continues on page 60)

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THE VICE PRESIDENT
WASHINGTON

May 25, 1996

Dear Rusty,

You know what kind of bugs me a little? (I'm sorry to vent to you, but these letters are therapeutic: they help me keep my famous "Gore volatility" in check.)

Anyway, here's what bugs me: I'm sitting in my office waiting for Dick Morris to call me back.

I'm not upset that Dick didn't take my call right away—I know he's busy helping Timothy McVeigh's lawyer focus-group potential jurors, and that's important—but, hey, we're important too. And I know that he has other clients (some Republicans in Arkansas, a Democrat in Oregon, a Green Party candidate in California, Tony Blair in the UK, Yushiko Takanori in Japan, Gorbachev in Russia, Marge Schott . . . He's a busy man).

But let me be totally honest with you: this guy is wreaking havoc on our staff morale, and who's here to pick up the pieces? Who has to soothe the hurt feelings and the damaged pride and the sense of hopelessness? Me, that's who.

George Stephanopoulos burst into my office before lunch, depressed. "Mr. Vice President, I've been thinking a lot about gay marriage."

I nodded and put my arm around him. "So the rumors are true," I said. "Well, as far as Tipper and I are concerned, we support you and we love you no matter what path God has chosen for you."

George looked a little taken aback. "Sir, maybe you didn't understand me."

"C'mon, George," I said a bit sternly. "Stop lying to the world. Stop lying to yourself. Stop trying to be the person you think you should be. Tell the world, George. Tipper and I will stand behind you. Just call a press conference and say, 'My name is George Stephanopoulos, and I'm the next editor of The New Republic.' Trust me. It'll hurt at first, but afterward, you'll sleep much better."

"Um . . . sir, what I meant was, the issue of gay marriage (and I mean it only as an issue, really—not a personal issue, if you get my meaning) is an opportunity to differentiate ourselves from Dole."

"It certainly is," I said. "Mr. Morris has conducted focus groups that say—"

"Sir, that's just my point. Who is Dick Morris? Why does he get to move the President to the right? I've been here since the beginning—heck, since before—why can't I move the President?"

I chuckled a bit, trying to get George to relax. "'Cause you'd move him to the left," I said.

"Look, Mr. Vice President," George charged on, "Donna Shalala is in her office in tears because of the President's announcement that he supports a gay-marriage ban. She's locked herself in. All we can hear are muffled sobs."

"What is she so upset about?" I asked. "It isn't really a Health and Human Services issue after all."

Mr. Vice President, you don't seem to understand what this is doing to our base."

I tried a different approach. "Look," I said, "our poll numbers have never been higher. Dick Morris is the main reason for that. Don't think of this as a swing to the right. Think of it as a great big gathering movement—you know, swinging to the right and then gathering them all close to us, over here, on the left."

"I don't buy it," George said. "I think he's selling us out."

"I agree with George," said a voice.

"Who said that?" I asked, startled.

"Me. Bob Reich. Down here, sir. In front of your desk." I peered over the desk. Bob Reich was indeed there, and he looked as upset as George.

"Mr. Vice President, if I may," he began, "we feel as if our President has been hijacked. And while I know that it's important to win and to win at any cost, to destroy the enemy, deceive the American people, campaign right and govern left—"

"Yes, Bob, we all got the Mrs. Clinton memo."

"Well, to continue, the problem is, that if we campaign on the right, then the American people sort of expect us to govern that way. That's why our sweeping health-care reforms didn't work out."

"I see your point," I said. And I did. "But," I went on, "We all know that this race will tighten up a bit—they always do—and when that happens, maybe then we can make the point to Bill that, hey, moving to the right got us this far, so maybe now it's time to move to the left. Think of it as a kind of 'crime-and-tax-cuts-in-June, gay-marriage-and-tax-hikes-in-September strategy.'"

"I like the sound of that," George said.

"Me too," said Bob. "But can we change 'tax-hikes' to 'increased investment in training, health, and education'?"

"We can," I said. "But it's not as catchy."

Well, Rusty, I put out that fire. But let me tell you, I'm getting awfully impatient for September.

Your pal, Al

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BOOKS, ARTS & MANNERS

Notes from the Alternative Nation

DAVID SCOTT

THE crowd in the war-memorial coliseum was a slung hash of the premillennial middle class—gaunt-looking slackers in Doc Martens and consignment-store flannel shirts, and black, clean-cut kids in white Ts and lettermen's jackets; suburban moms with frizzy perms, and little kids eating pink cotton candy. Nobody smoked even in the parking lot outside, which was dotted with utility vans from places like First Eel River Baptist Church. They booed before the show when it was announced that there would be no mosh pit or body surfing. They whooped "Alleluia!" and "Praise Jesus!" when the lead singer ended the night with a sermon that sounded like Ecclesiastes meets Kurt Cobain, about the vanity of all that is not Jesus.

It was a concert by DC Talk, a band that plays everything from hip-hop to grunge to crooning urban soul to unplugged ballads—three guys who met at Jerry Falwell's Liberty University and have gone on to make a name for themselves as the hottest act in what's known as Christian contemporary music, which in turn is on the cutting edge of a burgeoning pop Christian culture in America.

I saw DC (for Decent Christian) Talk in Fort Wayne, Indiana, one of those anonymous all-American cities that's as far away from the Bible Belt, in spirit and in truth, as you can get. It's in cities like this—Ottumwa, Iowa; Belton, Texas; Kearney, Nebraska—that a low-intensity cultural revolution is taking place.

Bonnie T. Garner

And while this mission to post-Christian America has thus far stayed below the radar of the nation's cultural and political establishments, it is hard to fully understand the late-twentieth-century U.S.A. without taking note of the fact that more and more Americans are putting their treasure where their heart is. The Christian Booksellers Association says Americans are spending about $3 billion a year on things Christian.

To be sure, this is still a small subculture driven by a narrow brand of Christianity—evangelical and fundamentalist. By contrast, Catholics and mainline Protestants have little appetite and no aptitude for this wholesale taking of the Gospel straight to the people in the marketplace.

"There is a movement, a search for something sacred and spiritual, and we are trying to meet that demand," says Rachel Deems. Mrs. Deems is president of Disciples, the world's first Christian "superstore," which opened outside Birmingham, Alabama, late last year. Disciples and other stores like it are symbols of the confident suburbanization of the salvation message, appealing mainly to married white women in their thirties and forties who are buying goods to bolster the faith of their young families. Disciples is a 25,000-square-foot horn of plenty where God and Mammon mingle on easy and familiar terms; it boasts 100,000 books and a 300-yard espresso bar where Christian singles come to meet and exchange business cards.

Christian retailing used to mean the Bible, and the Bible remains the single biggest-selling item in the nation's 2,500-plus Christian bookstores. But the immutable Word of God has been re-formatted for the neurotic Nineties—there are now specialty Bibles aimed at the recovering boozer and drug addict, co-dependents of various stripes, pregnant women, restless teens, even computer freaks.

And the Bible isn't the only book evangelicals are reading. Although they long ago shucked off the need for a Pope to tell them what Scripture means, evangelicals are buying tens of thousands of books by people like Dave Hunt and Max Lucado to help them live *sola Scriptura* and engage in "spiritual warfare."

But the market in Gospel "truth" is wholly unregulated, and there's one big *caveat emptor*: a lot of what's on the sagging shelves of "end times" Bible-prophecy studies is just an aggressive new gloss on old prejudices and decoder-ring theories of sacred Scripture—the Pope is the Antichrist and the Roman Church is Revelation's "whore of Babylon"; the Jews will get one final chance to convert as Gog and Magog clash in the late great planet earth's last world war.

Christians are also spending some $60 million a year to literally wear their faith on their chests. They buy "God's Gym" workout tops and "Gone to See Dad" T-shirts. For kids, there are a half-dozen God-fearing alternatives to Power Rangers and Ninja Turtles, including "Chariot Family," a collection of Philistine and Israelite action figures. Another hot seller with kids is "Veggie Tales" videos—funny and sophisticated computer-animated adaptations of Bible stories, hosted by a tomato named Bob and a cucumber named Larry.

For grownups, there are Christian nightclubs like Club J in

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Mr. Scott is editor of Our Sunday Visitor, *a Catholic news weekly.*

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San Jose, which specializes in Christian rave and techno dance music. Club J serves no adult beverages, and the bouncers dress in referees' uniforms and blow whistles when the gyrating gets a little too unorthodox.

With such a proliferation of products and services, it is easy to forget that the traditional mainstays of Christian pop culture—radio and TV—are now available to every household in the country. The Christian media have moved beyond polyester-clad faith healers and mascara-running testimonials. There are hundreds of Christian sites on the Internet, and Z Music, a Christian rock channel, reaches 17 million homes, with videos indistinguishable from those on MTV except that the girls keep their clothes on and the messages are ethereal, not suicidal.

Snubbed by the scribes and high priests in the temples of American culture, the entrepreneurs of evangelicalism have not been treated so sanctimoniously by the money changers. Christian artists like DC Talk, Jars of Clay, Michael W. Smith, and Carman are regulars on *Billboard*'s Top 200, and Christian books and records are sending down profits from Heaven for chains like Waldenbooks, Barnes & Noble, Wal-Mart, and Tower Records. Every major Christian record label is now owned by a secular media conglomerate such as Warner Brothers, Sony, or EMI. Christian acts like Fleming and John are turning up on late-night shows like Conan O'Brien's.

WHAT is going on here? If you ask Paul Hart, a goateed 24-year-old hipster in a brakeman's cap who edits a Christian magazine called *One Way*, he'll quote St. Paul and say he too is trying to be "all things to all men, that I might by all means save some" (see I Corinthians 9:22).

"This is a sights-and-sounds generation," Hart told me at a Christian rave party recently. "If Jesus was around today, he would use music to reach kids."

This is an attitude that has long characterized American Protestantism, says R. Laurence Moore, a Cornell historian and authority on the history of religious merchandising. He says the fact that America has no state-sponsored religion—and therefore few secular benefits to be gained from church membership and no coercion to believe—has always forced churches to be, in effect, salesmen for their Lord.

As Moore notes, the most popular form of literature in nineteenth-century America was the Christian novel. Filled with lurid depictions of seduction, forced prostitution, rape, and baby-killing, this fiction appealed to the prurient lurking in the breast of every Puritan and at the same time taught the moral that the wages of sin is death, or at least serious unhappiness. As late as the 1950s and early 1960s, Christian pop culture was Main Street U.S.A.—preachers like Fulton Sheen and Norman Vincent Peale and shows like *Lamp unto My Feet* were fixtures on the nation's networks.

Today, the cultural landscape is dramatically altered—Christians have been banished from network prime time, and in general the commercial culture has taken a frosty turn against organized religion. Evangelical Protestants have responded by going underground, creating in the cultural catacombs their own alternative nation by cloning virtually every conceivable element in the dominant culture.

But you won't catch Christian pop doing art for art's sake. "That is the motto of the world. As a Christian, we do art for the sake of Christ," according to Carman, one of the biggest-selling entertainers in the world today, who can command concert audiences of up to seventy thousand.

A similar missionary approach is taken by Frank Peretti, who has sold more than seven million of his novels, which are combinations of *Cujo* and "Sinners in the Hands of an Angry God," and by Janette Oke, who has sold more than 13 million books and whose current effort, *A Gown of Spanish Lace,* last year sold more than the latest by John Irving, James Michener, and Jackie Collins.

Despite their success, Miss Oke and Mr. Peretti will never appear on the *Publishers Weekly* or *New York Times* bestseller lists. Because of the way the bookstores surveyed for these lists are chosen, Christian books are segregated in a literary ghetto, although most of them are at least equal in literary merit to Danielle Steele and *The Bridges of Madison County*.

True, Christian fiction is largely a PG affair. The writers' guidelines for Tyndale House, a leading publisher, say that sex isn't taboo so long as it isn't graphic. And in good fundamentalist fashion, they have a proof text to back up their position—"The Bible 'tells' of David having an affair with Bathsheba," the guidelines say, "but it does not 'show' or describe the details of the affair." And the characters in much of the top-selling Christian fiction are hewn from a wooden and forgettable stock, their mouths filled with slogans summarizing their position in the fundamentalists' celestial order—saved, damned, or undecided.

To get a sense of the language of these books, open randomly to the scene in chapter 9, paragraphs 22 and following, of Pat Robertson's portentous *The End of the Age*:

"'I would love to see Him,' Lori said reverently. 'Is it possible?'

"'Lori,' John Edwards responded, 'with God everything is possible.' Then he chuckled, 'Much as I would like it, the Lord hasn't granted me the authority to grant visions. But, I promise you, today you and Carl will meet Jesus Christ.'"

Christian theological thrillers like Robertson's, and like Chuck Colson's best-selling *Gideon's Torch*—as well as everything written by Peretti, the genre's godfather—share some common, if non-Scriptural, presumptions: that America is the center of salvation history; that the apocalypse is now and it's not a moment too soon, because God has lost patience with the liberal infidels; that judges and journalists, the ACLU and the local school board, the President and his attorney general are all in the pocket of the Antichrist.

By contrast, Christian pop music seems less ready to judge and better prepared for serious engagement in countercultural combat. And Christian pop exposes just how much the self-styled music of rebellion, rock 'n' roll, even in its "grunge" and "alternative" incarnations, is really just a long infomercial for lifestyles based on arrested adolescent development, a vehicle for selling conformity in everything from hairstyles to clothing to values based on the pleasure principle. While today's pop culture still permits individual spiritual searching, it must conform to accepted rites of passage—doubt, angst, losing the religion of your parents. And to be found sufficiently "spiritual" your seeking must end with a nondenominational affirmation of your own personal "God within." Following this formula, books like *The Celestine Prophecy* and *Embraced by the Light* become best-sellers, and rock artists like Joan Osborne are hailed as deeply

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spiritual for asking questions like "What if God was one of us / Just a slob like one of us?"

The organs responsible for defining what is cool in the culture—*Spin*, *Entertainment Weekly*, *Rolling Stone*, the *New York Times*—have dismissed Christian music as a naïve, self-righteous knock-off of "real" music. But in truth, the best of Christian alternative music—Rhythm Saints, Prodigal Sons, Common Children, Seven Day Jesus, Sunday's Child, Sue Rinaldi, Over the Rhine, 77s, Adam Again, Every Day Life, Worldwide Message Tribe—is as musically hip and as danceable as anything on the alternative or grunge scenes today.

WHAT makes the alternative-music establishment nervous is that these new acts aren't content to preach to the evangelical choir—they're actively seeking converts from the Nine Inch Nails and Hole crowd.

"I get in the car and I pop Alanis Morissette in the deck and it feels good—the flesh loves this stuff. But my God, what is she saying?" said Scott Blackwell, founder of N-Soul Records, the most innovative of the Christian labels.

In the 1980s, Blackwell was an icon of the Manhattan dance/rave/techno scene, spinning records at the Palladium and hosting a popular FM-radio dance program. After his wife left him and he bottomed out on cocaine and booze, he got saved, moved to L.A., and began to apply his skills to saving others. A recent Blackwell project, an album by the band Resolution called *Politically Incorrect*, includes protests against moral relativism, abortion, and gay rights, and a gorgeous setting of Psalm 91.

Only God knows how many people are being converted or held accountable by this new Christian counterculture. It could be that the critics are right—that all this God-mongering is just hype to market the Messiah to Jesus freaks. But don't bet on it. For now, perhaps the best conclusion that can be drawn is one offered by a twentysomething guy I met at a Christian rave party held in the gym of a suburban Baptist church. He was a walking clash of piety and grunge in purple ankle socks and work boots, wearing a flannel shirt/vest/cut-offs combo, with a huge silver cross necklace.

"You know, man, this is a lot of fun," he said of the dancing. "And there's a lot worse things we could be out there doin' tonight." It's hard not to say, Amen to that, brother. □

Onward and Downward

FLORENCE KING

NOVELIST James M. Cain complained of "the curse of American literature: the sympathetic character." It's worse than he thought. Our determined national optimism has long since extended beyond fiction to the upbeat final paragraph demanded by editors of mass-market articles, and, in politics, to morning-in-America sunniness in the shadow of Damoclean swords.

The smile-button spell is broken in *Dumbing Down*, a collection of savagely witty essays by a hardy band of cultural commentators who believe things are bad, really bad, out there, and are not at all reluctant to say so.

Dumbing Down: Essays on the Strip-Mining of American Culture, by Katharine Washburn and John Thornton (Norton, 332 pp., $22.50)

The volume's refreshing tone of cynical pessimism is established in the introduction by *NR*'s John Simon, who sees no point in worrying about people whose idea of repartee is talking back to a movie screen. Concurring with Pascal's dictum that all human unhappiness stems from the inability to stay calmly put inside a room, Simon predicts the total collapse of American education "unless the cult of excellence takes over in the land or hell freezes over—whichever comes first. To expect things to improve is like asking for the return of the five-cent beer."

Cynthia Ozick demonstrates that universal literacy was a fluke from the beginning. Borne on the confluence of the reform movement and the industrial revolution, it lasted barely a century, from about 1830 to 1930. During this period the shop girl with her pulp romance and the laborer with his penny-dreadful gave the erroneous impression that reading was here to stay, but when radio and movies came along the little people promptly abandoned their printed entertainment. Thereafter the centuries started slipping away. Now, writes Miss Ozick, television is "the simple speaking face" of pre-literary epochs and the VCR has returned us to "the world of traveling mummers."

Phillip Lopate's essay is called "The Last Taboo," a reference to the only thing left that Hollywood won't show: an intelligent person who is *not* a mad bomber.

Early Hollywood, says Lopate, had a reverence for intelligence. The moviemakers of the Thirties and Forties were German refugees who, missing Europe and depressed by American cultural blandness, compensated by creating worldly, cultivated supporting characters (the Claude Rains and Maria Ouspenskaya parts), sprinkled their films with references to the Louvre, and "wrote in countless minor comic roles for displaced European character actors, as violin repairers, Pushkin-quoting janitors, etc."

By contrast, today's moviemakers pour out of film schools with no cultural memory except a fascination for poor white trash (called "extreme white people" by politically correct screenwriters) and a belief that "people without brains are cool." The result is today's film noir in color about "a pair of greasers . . . stranded in a nowhere town who meet cute, fall in love, and go find a gun." The "idiot genre," as Lopate calls it, keeps dialogue to a minimum so as not to sound literary: "More and more, I am told, action movies go into production without a final script; the gaps are patched over with last-minute wisecracks."

Poor white trash are the only whites that today's audiences willingly identify with. Gone from the screen is our national archetype, the Common Man, the ordinary American portrayed by James Stewart who rises to a moment of moral excellence in the course of coping with his travails. But national archetypes are historically white figures, so the Common Man has been rejected by newer immigrants and minorities. In so doing, says Lopate, they reject as well the premise of a shared humanity on which

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all good drama is based. Without a model of commonality, moviemakers "attempt to locate universality in a pre-adult child mind." Hence, Forrest Gump.

What ever happened to high art? It collided, says Joseph Epstein, with our secret knowledge that artistic talent is unequally distributed by a capricious Mother Nature with no interest whatever in being fair. To right this wrong, multiculturalists "have made the arts avenues to progress and encouraged the downtrodden to practice them." As a result, "the avant garde has largely turned away from technique and toward content"—i.e., the kind of people who once gave us groundbreaking movements like Impressionism and stream-of-consciousness now give us chocolate-covered feminists. Victimhood art, says Epstein, is "ultimately uncriticizable," as witness the thriving career of Maya Angelou, who "probably has more honorary degrees than James Joyce had outstanding debts."

Forget the novel, says Kent Carroll, erstwhile editor at Grove Press. Confessional talk shows have destroyed the whole concept of fictive structure. When Sally Jessy announces, "Today we're doing lesbian shoplifters who seduced their stepmothers," everything that traditionally has propelled a narrative line—suspense, conflict, motive, mistaken identity, the dog that doesn't bark—becomes academic.

NR's David Klinghoffer takes on theological dumbing down in "Kitsch Religion." He first became aware of it at his bar mitzvah when he found himself reciting Hebrew he had memorized but did not understand, imperfectly taught at a Reform temple more interested in politics and "social action" than in the Torah. Klinghoffer's essay is notable for his highly effective narrative technique, familiar to readers of his *NR* vignettes on urban life: the sudden punchy detail that brings everything into focus. His quick sketch of the environmentally sensitive Reform rabbi selling low-flow shower heads in his temple shop illuminates all that is wrong with trying to make religion "relevant."

Dumb has even invaded cooking. Nahum Waxman contrasts the tone of respect and confidence in Colonial-era recipes with the paranoid admonitions in today's: mash anchovies with the *back* of a fork, rub avocados with the *cut* side of a lemon, discard the pits, discard the bouquet garni, remove the string from the roast, and—a pinch of sagacity for the truly witless—"Lower the heat if the pan threatens to burn."

David R. Slavitt traces the dumbing of higher education to the passage of the GI Bill, when "the whole country declared itself to be middle class." As going to college replaced learning, Slavitt, who worked at *Newsweek*, had to help readers along with appositives, changing stand-alone references to "Plato" to "Plato, the Greek philosopher," and writing the "Summing Up" squibs at the end of long articles, a job he calls "reducing all experience to fifty words of pith and vinegar."

The dim views fly so fast and furious that Oswald Spengler would go mad trying to pick his favorite. Sven Birkerts's "Homo Virtualis" examines "the pinball fixity" of the Net user and notes that "getting off-line is like coming down from a high," a brand-new addiction for which counseling is already available. Heather MacDonald describes a writing class in the "peer teaching" program at CUNY where essays by the semi-literate serve as models for the cretinous. James B. Twitchell, blaming advertising for the "carnivalization of culture," suggests that the real reason why books are ad-free is that "the prime audience for advertisers, namely the young, is functionally illiterate."

And on and on, or as Jeremiah might say, "It's all here." The editors, a poet and a literary agent, who set out to find curmudgeons immune to facile nostalgia, err only once. Striving for "balance"—an evil goal—they include "I'll Take My Stand: In Defense of Popular Culture," by Anthony DeCurtis, who goes all muzzy as he attempts to explain why he likes rock 'n' roll.

DeCurtis's essay was also too much for John Simon, who slams it in his introduction—proving, like this review, that misery loves company. □

What Is to Be Done?

PAUL CRAIG ROBERTS

JACOB Weisberg, a columnist for *New York* magazine, and John Kenneth Galbraith were both traumatized by the Republican sweep of Congress in 1994. They feared it meant the death of the liberal's god—Big Government. Both penned books to rally depressed liberals to the defense of government.

There is nothing new in Galbraith's book. He defines "the good society" as one that is politically organized to coerce "the favored" to work for the poor. The instrument for this coercion "must be the Democratic Party." The only definite limit to the coercion is that redistribution of income, wealth, and power need not be taken to the point of literal per-capita equality.

The Good Society: The Human Agenda, by John Kenneth Galbraith (Houghton Mifflin, 142 pp., $21.95)

In Defense of Government: The Fall and Rise of Public Trust, by Jacob Weisberg (Scribner's, 208 pp., $22)

Galbraith specifies the characteristics of the good society. They are: 1) inflation, because "there cannot be full employment and stable prices at the same time" and inflation is "the lesser evil"; 2) a growing budget deficit in order to enlarge the "general prosperity and ability to pay" of our grandchildren; 3) income redistribution in order to maintain aggregate demand, to create an aura of compassionate morality for society to revel in, and to terminate for all time the absurd notion that people have a moral entitlement to what they earn; 4) carloads of money spent on compulsory education and high salaries for teachers; 5) environmental and financial regulation; 6) open immigration controlled only at "the lower levels of employment" by the availability of jobs; 7) the emasculation of national defense, which hogs the budget and reduces "the public living standard"; and 8) acceptance of responsibility for "the poor of the planet."

The good society must not attempt to avoid responsibility for the world's poor on nation-state grounds. Not only must "money . . . be generously available,"

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but also "intervention—the setting aside of sovereignty to rescue and protect distressed and endangered populations." The old intervention—colonialism and imperialism—was bad, because it was done by the wrong people for the wrong reasons. But the new intervention is good, because it will be undertaken by good institutions. "One of the most important functions of the United Nations" will be the use of America's (emasculated?) military to take over poor lands that are not coping.

Wrapping himself in a Marxian rhetoric of historical inevitability, Galbraith declares resistance to this agenda to be pointless: the "course of history has already defined the task."

Weisberg is equally enamored of coercive government as long as the power is used for the right things. For him, the right things are government housing subsidies to relocate inner-city residents to the suburbs, "the preservation of the American wilderness, the rise of labor standards, the WPA, the Social Security system, the defeat of Hitler, integration, and the conquest of the Moon."

Persuasion and freedom of conscience play no role in Weisberg's concept of the good society. "A time we really believed in government" was when we were using federal power to stick things down people's throats, such as the use of "the Alabama National Guard, with another three thousand Army troopers on alert nearby," to forcibly integrate the University of Alabama. Weisberg longs for more opportunities to intervene so unambiguously on the side of justice and believes the next cause is the forcible integration of white neighborhoods. One might be tempted to laugh at this, but if courts can order school integration, they can order neighborhood integration.

Weisberg believes that without "ambitious, assertive, and aggressive government," American society will be amoral, immoral, or at least not sufficiently moral. Only government power can force us to be a moral society, but there is not enough confidence in government for this power to be used.

Weisberg attributes the public's loss of confidence in government to racism and dates the fall of public trust from the 1964 Civil Rights Act. This lets Weisberg identify opposition to big government with racism. But he cannot avoid admitting that Americans' dislike of "ambitious, assertive, and aggressive government" also played a role. He mentions the extraordinary decline in government accountability and lists four factors that caused it. One is Franklin Roosevelt's destruction of the delegation doctrine, which had prohibited Congress from passing its constitutional power for making law to government agencies. When the Supreme Court, under political pressure from Roosevelt, abandoned 150 years of constitutional law, it gave government "the technical ability to penetrate every nook and cranny of American life in a way that was simply impossible before."

A second factor is "social changes wrought by judicial fiat instead of by the democratic process." People don't trust government because the bureaucracy and courts have taken government out of the people's control.

A third factor is the unionization of public employees, and a fourth is the end of patronage. Public employees can now thumb their noses at the public with impunity.

All of this would be all right with Weisberg—it's just ambitious, assertive, and aggressive government—except that it has caused 70 per cent of the people to lose confidence in government, thus making it possible for Republicans to get elected by promising to reduce government.

What is to be done? Weisberg thinks one approach would be for the Democrats to steal parts of the Republican program as political cover. Once the liberals recover power, they can go back to the true task of "mitigating the ravages of an unfettered market economy," combatting with redistribution the usual list of social ills.

Weisberg and Galbraith confirm what we already know about liberals. They take it for granted that only their ideas and agendas are legitimate. No one else has a moral leg to stand on. Debate is pointless; it just delays action. If naked power can't be employed, then secrecy is the key. Weisberg writes that if "white bungalow dwellers don't know" that their tax dollars are being used to move black welfare recipients onto their block, "they are less likely to object."

Galbraith and Weisberg are so confident that their higher morality puts them above criticism that they openly show their contempt and disdain for the 70 per cent of their fellow citizens who are so uncouth as to prefer less government. Democracy is acceptable to liberals only if it can be manipulated to produce the right results. □

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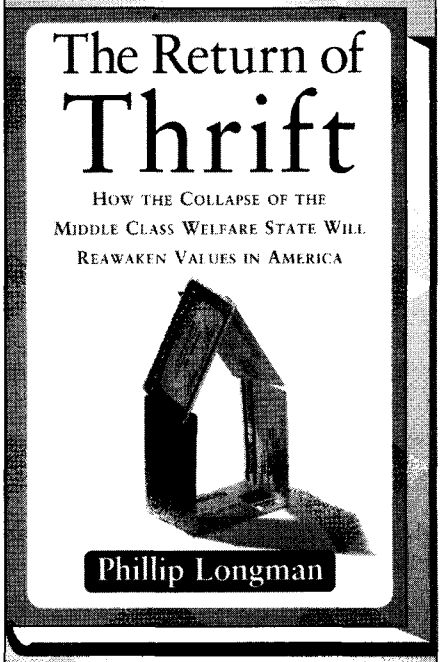
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Transgressive Fiction

JAMES GARDNER

THIRTY years ago the art of fiction began to undergo a change similar to one that had already befallen the theatrical arts. Though theater had once been the best loved form of mass entertainment, it yielded that title to film and then turned inward, catering to an elite taste that saw theater as art rather than diversion. As a result, these two factors, which had formerly been united, increasingly went their separate ways. Fiction also used to fulfill the Horatian injunction to delight as well as to edify. But in recent years it too has split, not into different media, as theater and film have done, but into different forms of fiction. On the one hand Stephen King and Jackie Collins are widely read for their entertainment value. On the other, novelists like Thomas Pynchon and William Gass intentionally and provocatively suppress the element of pleasure, as if it were incompatible with serious fiction.

In the Cut, by Susanna Moore (Knopf, 180 pp., $21)

The End of Alice, by A. M. Holmes (Scribner's, 279 pp., $22)

Try, by Dennis Cooper (Grove, 199 pp., $11)

American Psycho, by Bret Easton Ellis (Vintage, 399 pp., $14)

Infinite Jest, by David Foster Wallace (Little, Brown, 1,079 pp., $29.95)

The logical consequence of this latter trend, and easily the most hyped novel of the decade, is David Foster Wallace's *Infinite Jest*, a thousand densely printed pages of plotless abstrusity punctuated by a series of brainless pratfalls. These are followed by a hundred more pages of notes which manage to be semi-literate in four languages and whose purpose, to this critic at least, is entirely inscrutable. There have been rumors that Little, Brown, the publisher, actually pressed Mr. Wallace to make the book even longer than he had intended, in order to increase its "stunt" value. As it is, everyone is talking about the book and no one so far has actually read it.

Fortunately, most contemporary fiction of the artistic kind is somewhat more rewarding. Often its vanguardism consists less in the sorts of formal difficulty that were characteristic of Gass and Pynchon than in the freshness of the authors' identities. Amy Tan, for example, writes about being a Chinese-American woman, Bharati Mukherjee about being an Indian woman in Iowa, Dale Peck about being homosexual, and Ernest J. Gaines about being black. Such literature falls within the modern liberal tradition of embracing difference and being open to other experiences. But both of these undertakings imply a core of shared values, so that, even as this literature asserts the difference between author and reader, it usually has the reassuring subtext of a common humanity that unites us all.

Despite the primacy of this kind of "nice" literature, there is another kind of literature that increasingly exhibits, and sometimes even advocates, very different values. Such fiction is often termed "transgressive," and there are correlative developments in film and the visual arts. Like the humanistic literature of Amy Tan, it is seen as being somehow liberal or leftist because it seeks the distinction of radical "otherness" and because it aspires to threaten the status quo that writers like Amy Tan and Bharati Mukherjee seek only to correct. The two strains converge from different angles of assault on a center allegedly dominated by a white, Anglo-Saxon, heterosexual, right-handed patriarchy.

The roots of transgressive literature, of literature that violently attacks the center of a culture, are ancient, reaching all the way from Euripides's *Bacchae*, through Marlowe and Webster and the Marquis de Sade, to Huysmans and Céline. This literature of self-defined immorality, anguish, and degradation is constantly waxing and waning in our culture, as, for its part, is the humanistic strain. Thus the ages of Fielding, George Eliot, Sinclair Lewis, and Saul Bellow were in a general way humanistic, whereas those of Byron and Wilde and the Surrealists tended in the other direction. At the present time—and this is perhaps a unique occurrence—the two strains exist side by side, as different faces of the same coin. Four recent and critically celebrated novels—Susanna Moore's *In the Cut*, A. M. Holmes's *The End of Alice*, Dennis Cooper's *Try*, and Bret Easton Ellis's *American Psycho*—exemplify this development, each from a different angle.

What unites all these novels, aside from their almost unimaginable gruesomeness, is the peculiar relation in which they stand to the straitlaced center of society. Reading *In the Cut*, a polished performance with a gripping plot and some humor, we immediately recognize the protagonist as "one of us," that is, a liberally inclined citizen of the center. This slightly dowdy but attractive English teacher is well-intentioned in a schoolmarmish sort of way, eager to bring literature to the inner city. Though she is, to all appearances, the sort of person who would read the novels of Amy Tan and Bharati Mukherjee, each of the subordinate characters she encounters is at variance with her. They do not read quality fiction. They do not sip white wine and herbal teas. They are either working class or underclass. Cornelius, whom she is struggling to teach English, is a black high-school student whose hidden literary talents derive precisely from his authenticity as a member of a minority. Detective Molloy and Detective Rodriguez are as casually racist and as foul-mouthed as the narrator is enlightened and reserved. Yes, they are men, and Molloy is even a white man. But because they are working-class they are outside the narrator's intuitively perceived center, and this provides them too with authenticity.

The novel begins with the narrator witnessing a murder, one in a series. The central question of the novel concerns the identity of the killer. Each of the three men mentioned is suspected by the narrator. But in the end what is surprising is not the killer's identity so much as the transformation that the prim and reserved narrator undergoes. In the name of her awakened desire for sexual fulfillment, she seems implicitly to endorse the murder's misogyny, inhumanity, and vulgarity. In the final scene, we realize that everything we have been reading until now has been the voice of the narrator just as she is about to be slain by the serial killer. The

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preliminary act of mutilation—since the murderer always takes a "token" from his victims—is described in sensuous terms: "He grabbed me by the back of the neck, pressing the razor against my breast . . . cutting smoothly, easily through the taut cloth, through the skin, the delicate blue skein of netted veins in flood, the nipple cut round, then the breast, opening, the dark blood running like the dark river."

Here we meet one of the main conflicts in contemporary feminism, as represented by Catharine MacKinnon and Suzie Bright—that is, between those women who see sexuality as essentially a masculine invasion of women, and those who believe that women are and should be as sexually predaceous as men. The development of Susanna Moore's protagonist consists in her increasing awareness of the primacy of sexuality, which she has repressed in herself and for which, almost as a point of morality, she will have to be punished. For sexuality is an anarchic catalyst, cutting through all the hypocrisy and manners of the center.

IN contrast to the sexual awakening of the narrator which is the main theme of *In the Cut*, we see in *The End of Alice* by A. M. Holmes, another woman writer, and in Dennis Cooper's *Try*, sexual license presented not as a dilemma but as an accepted fact. The protagonist of the former novel is a 56-year-old man who has spent the past 23 years in prison and whose affected utterances recall Hannibal Lector minus the cannibalism. The plot is fairly simple: this murderous pedophile recounts his past adventures in a correspondence with a young woman who sees him as a role model, except that she is interested in young boys whereas he is interested in young girls. Many graphic scenes of child molestation, sodomy, and murder, follow. "All three boys," the female correspondent recalls, in a fairly typical passage, "were at that age of supreme softness where muscles waiting to grow are coated in a medium-thick layer of flesh, highly squeezable. They were at the point where if someone were to take such a child, to roast or bake him, he would be most flavorful."

If anything, Dennis Cooper's *Try* manifests an even greater level of sexualized violence, but this time from the perspective of male homosexuality. The protagonist, Ziggy, is a victim of child abuse at the hands of the gay couple who adopted him. Though child abuse is very much in the news these days and is always reprehended in the strongest terms, Cooper's take on the problem is one of ambivalence, when not verging on enthusiastic endorsement. *Try* is an extended fantasy of unbridled sexual license in which those whom society sees as the victims are willingly acquiescent if not entirely complicit in their own sexual exploitation. In this voided world, there is no family structure to speak of. Parents are absent, or else they are ersatz, like Ziggy's. Likewise, school is only a place for trysting and for the purchase of drugs. Crimes go shockingly unpunished. When, in a subplot, Uncle Ken sodomizes the corpse of a 13-year-old who overdoses on the drugs Ken supplied, he simply disposes of the body and that's that. There would be little point in attempting to cite a passage, as it would not get past the judicious editors of this publication.

These two novels are intended for two groups of readers, pedophiles on the one hand, and "normal" people on the other. This loaded term "normal" is used advisedly for the simple reason that the authors themselves implicitly draw the same distinction. One senses that their gaze is always steadily fixed on the reader, as though asking, "Are you revolted yet? Are you shocked?" If this work were marketed as pornography, the term being used not in reproach but simply for purposes of description, we should be forced to acknowledge its usefulness to those whose fantasy life comprises the sodomizing of children, necrophilia, and coprophilia. What is entirely unpalatable is the squeamishness of *Try*'s reviewers, squeamish not in the sense of opposing so off-color a work, but in the sense of being too timid to call it by its name. The reviewer for the *New York Times* states that "Dennis Cooper has written a love story, all the more poignant because it is so brutally crushed." The reviewer for *Spin* calls it "Painfully poignant . . . beneath the queasy surface, no novelist empathizes more with the pathos of put-upon youth." Of course opinions may differ. But suffice it to say that I found no trace of poignancy at any level.

What is it then about the three books I have discussed that has granted them absolution from the censure that ordi-

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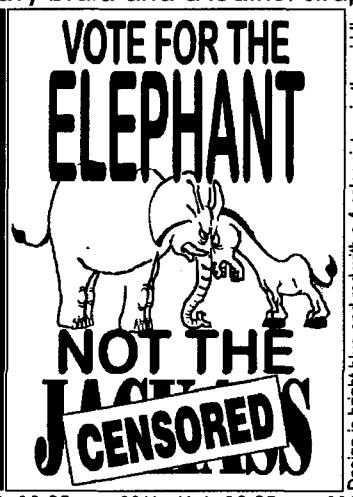

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narily would accompany such unbridled lubricity? The answer is clear. Sexual aggressiveness is traditionally defined in our society as the province of the straight white male. To the extent that each of these books attacks this center, it appears to acquire a contemporary relevance which exempts it from the moral scrutiny that a straight white male would receive. Furthermore, in its implicit threat to the patriarchy, and all that this threat implies of traditional liberal egalitarianism, it seems to take the moral high-ground. Susanna Moore and A. M. Holmes display women who are as sexually predaceous as any man. Dennis Cooper displays homosexuals and even child molesters as spirited crusaders against a hypocritical middle class. It is in this light that they gain their relevance for those who read "quality literature," and it is this that makes them morphologically identical to Amy Tan and Bharati Mukherjee, however different their content.

THE fact that, in the eyes of their many admiring critics, it is this perceived quality that alone redeems them will be made more apparent by studying the fate of Bret Easton Ellis's *American Psycho*. This book is not nearly as bad as many had supposed or hoped without having really read it. To be sure, there are problems with the book. More often than not its violence is gratuitous; its characters are too realistic for satire and too unbelievable for realism; long passages are meant to be monotonous—and they are; the book proceeds by repetition rather than by development and is never satisfactorily resolved, even if we accept that it is supposed to end on a note of irresolution. With these reservations it should be said that the book's virtues—its swift narrative, its dead-pan humor, and its eye for detail—have generally been ignored. For example, the Vintage paperback, from a series that is traditionally bedecked on front, back, and end papers with blurbs and raves, is devoid of any comment whatever. As readers may recall, the book was originally scheduled for publication by Simon & Schuster, which withdrew at the last moment under pressure from feminist groups, so that it was finally brought out in hardcover by Knopf.

The protagonist, Patrick Bateman, is an arrogant, spoiled super-yuppie who has everything. He is young, handsome, Harvard-educated, and incalculably wealthy. From the first page, the yuppie creed is articulated by one of the subordinate characters. "I'm resourceful, I'm creative, I'm young, unscrupulous, highly motivated, highly skilled. In essence what I'm saying is that society can*not* afford to lose me. I'm an *asset*." Bateman is also a serial killer, and it is a main conceit of the novel to suggest that yuppie-dom, with its arrogant egomania, is one step on the way to serial murder. In one scene Bateman is having problems with an unresponsive salesgirl in a video store. "The things I could do to this girl's body with a hammer," he muses, "the words I could carve into her with an ice pick." Another woman he describes as "too ugly to rape." Then he reveals the most brutal insensitivity to centrist attitudes. He sees a "bum lounging below the *Les Misérables* poster and holding a sign that reads: I'VE LOST MY JOB I AM HUNGRY I HAVE NO MONEY PLEASE HELP, whose eyes tear after I pull the tease-the-bum-with-a-dollar trick and tell him, '. . . will you get a f—ing shave, *please* . . .'" He is similarly insensitive to homosexuals and to animals. He is, in short, politically incorrect to the point of psychosis.

The three previous novels implicitly attacked the center, but in a manner acceptable to liberals. *American Psycho*, by contrast, has been emphatically rejected by the same liberals, and it is easy to see why. This book makes fun precisely of the center's attempt to assimilate those who are outside of the center, whether homosexuals, the homeless, Koreans, or animals. Ellis seems to perceive a gust of bad faith in liberal discourse, and it is the relentless vigor with which he goes after liberals' hypocrisy, with which he tramples all over their self-serving *sensiblerie*, that is the most valuable thing in this novel. What cannot be explained away or mitigated by this reading, however, is the extremeness of the violence, to which no nobler purpose can be ascribed than simple sadism.

Aside from that, there is an element of bad faith, if not of downright hypocrisy, in these novels, one from which even *American Psycho* is not exempt. It comes in the form of the seemingly irresistible need of the authors to attribute to their private preoccupations a larger social message, which is really only window dressing. Thus in the chapter titled, "The End of the Eighties," near the end of *American Psycho*, Bateman sums up what is intended as the heavy message of the book. "Justice is dead. Fear, recrimination, innocence, sympathy, guilt, waste, failure, grief, [were] things, emotions, that no one really felt any more. Reflection is useless, the world is senseless. Evil is its only permanence, God is not alive. Love cannot be trusted. Surface, surface, surface, was all that anyone found meaning in . . . this was civilization as I saw it, colossal and jagged."

In a similar mood, the child-molesting narrator in *The End of Alice* turns at one point to the reader and says, "I am no better or worse than you. A conspiracy, a social construct supported by judge, jury, and tattle-tales, has put me away because I threaten them. I implore you not to be such a scaredy-cat." This attitude—disabused, amoral, and implacably opposed to the civics of the center—is the recurring theme of all the current transgressive novels, not to mention contemporary rock bands like Nine Inch Nails and contemporary art like that of Joel Peter Witkin and contemporary films like Quentin Tarantino's *Reservoir Dogs*.

One crucial difference between these authors and the authors of ordinary novels, such as Stephen King and Jackie Collins, is that, whereas the latter are content to preserve the traditional protocols of fiction, these newcomers would have us believe, as they themselves believe, that they have penetrated to an all-important and long-hidden truth about human society. And in a general way we, their readers, do believe them. We believe them because in our relativistic age, we have lost the spiritual resources to confront that potent error which they lack either the intellectual honesty or the intellectual power to oppose: the error of supposing that, because everything indeed is not right with the world, everything must accordingly be wrong with the world; the error of supposing that, because we are plainly not a race of angels, we must perforce be a race of beasts. But in the end, they are still fiction writers after all, and this morbid fascination of theirs, this confidence that the center cannot hold, that all of morality is a sham, is the supreme fiction. □

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FILM

Two Out of Three

JOHN SIMON

A CHARMING 1932 novel, Stella Gibbons's ***Cold Comfort Farm***, has been adapted for the screen by Malcolm Bradbury, and directed by John Schlesinger into an exquisitely droll, tongue-in-cheek fairy tale. It is beautifully acted and photographed, and it generates, in between laughs, a variety of smiles: benign, ironic, or conspiratorial.

It is the story of Miss Flora Poste, an indomitable English maiden who, having lost her parents, is taken in by relatives, the wildly bizarre Starkadders, whose revolting habitat, Cold Comfort Farm, is the Augean Stables verging on the Lower Depths. It seems that Flora's father had an evil trick played on him by a Starkadder (we never find out what), for which Judith Starkadder, haggard and disheveled, takes in Flora as a permanent non-paying guest. Judith's husband, Amos, is a fire-and-brimstone preacher of no use to the farm, which is —so to speak—run by Judith; by her sons, Reuben and Seth, the one tongue-tied and hard-working, the other a handsome womanizer convinced that all girls want to suck his blood; and by various others, family or hired hands. All live in dread of Ada Doom, the despotic matriarch sequestered upstairs, who is haunted by "something nasty in the woodshed" she saw as a child (we never learn what). She deigns to come down only once a year to scrutinize and terrorize her forgathered victims.

Disorder, dirt, inefficiency, suppressed passions (some of them involving the upper-class neighbors, the Hawk-Monitors) are everywhere; also unsuppressed ones, involving tumbles in the hay and bastard births. But Flora is not only not fazed, but actually in her element. By almost subliminal insinuations or unexpected shows of force, by solicitous persuasion or peremptory reprimands—as well as by sheer elbow grease ever so daintily exerted—she converts the farm into an earthly paradise. Her chief helper is Charles Fairford, her eager yet somewhat tentative high-born suitor, whose car, airplane, and other resources prove useful tools for Flora. The plot is sweetly preposterous, yet irresistibly believable. This, surely, is how the world's problems should be resolved —by a young lady who is part Britomart, part Boadicea, and part Jane Austen heroine.

The many subplots are beautifully tied together in an ending that brings tears of joy to the eyes. Schlesinger, whose direction has floundered of late, is back in easeful command, and the screenplay does uncustomary justice to its source material. Kate Beckinsale, a fetching young actress, has an imposing brow, a meltingly compelling gaze, and enough poise for a whole troupe of high-wire artistes. She is expertly supported by Eileen Atkins (Judith), Ian McKellen (Amos), Rufus Sewell (Seth), Christopher Bowen (Charles), Sheila Burrell (Ada Doom), as well as Freddie Jones, Stephen Fry, Joanna Lumley, and Miriam Margolyes among many delightful others. Robert Lockhart's beguiling score adds the final enchantment to a warm breeze of a movie.

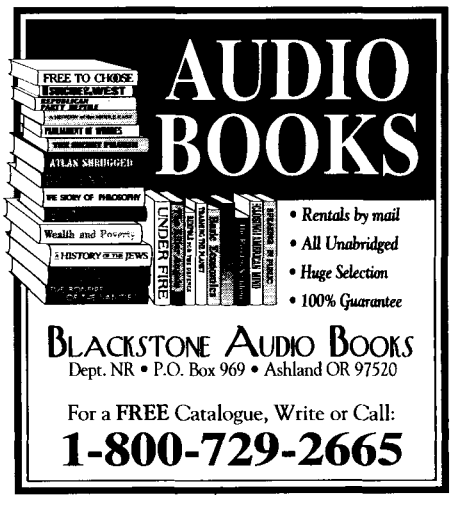
■ A far, far cry from this is the remake of ***Jane Eyre***, directed by Franco Zeffirelli from his and Hugh Whitemore's screenplay. Lest memory play tricks on you, let me say that the old Hollywood, Orson Welles–Joan Fontaine version was terrible, too, but this one, made in England with mostly English actors, should have been better. It has a trump card in Charlotte Gainsbourg (the daughter of the singer Serge Gainsbourg and the actress Jane Birkin), known mostly from French films, but here speaking impeccable British English, looking aptly like the other, authorial Charlotte, and acting with touching simplicity and quiet conviction. There are fine performances also by Joan Plowright, as the kindly housekeeper, Mrs. Fairfax; Anna Paquin (from *The Piano*), as young Jane; Leanne Rowe, as her tragic chum; and one or two others. Lovely scenery and David Watkin's customary superb cinematography supply pleasing trimmings.

But Zeffirelli's direction is, as usual, flabby, and there is one performance abysmal enough to sink a much better movie: William Hurt's Rochester. Totally unable to come up with a plausible accent, affecting a torpidly whiny delivery, and expressing little beyond smug stupidity, Hurt burns a cigarette hole into every scene of film he appears in.

■ A modest but winning little movie is ***Someone Else's America***, by the Yugoslav director Goran Paskaljević, from a screenplay by Gordan Mihić. It concerns, mainly, the lives of two Brooklyn friends: Alonso, a timorous Spanish immigrant who owns a shabby bar, where he lets Bayo, a fierce illegal immigrant from Montenegro, live and clean up between a variety of other, underpaid and often dangerous, jobs. Alonso harbors a hopeless love for a Syrian girl in the melting-pot where they all live, and Bayo, for trying to help him, gets into all sorts of trouble.

Back in Montenegro, Anja, Bayo's mother, finds it impossible to survive with three grandchildren: Luka, a successful hustler who, nevertheless, is no match for a crooked postal clerk who steals Bayo's letters and the money they contain; Pepo, the sweet little accordion-playing younger brother; and Savka, the sister who, not hearing from her dad, will not eat or sleep. They manage to get themselves smuggled into the U.S.A., but, as they wade across the Rio Grande, Pepo's accordion is snatched away by the current; the boy swims after it and disappears.

The heartbroken others make it to Brooklyn, but Bayo, fanatically believing in the boy's survival, and helped in part by Alonso, conducts an obstinately self-deluding, endless search for Pepo. Back in Brooklyn, he irrationally blames



Mr. Simon is NR*'s film critic.*

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Luka for everything. Meanwhile Anja can't get used to America, even as Alonso's blind, now deceased mother (played by the great Maria Casarès, absent from the screen too long) couldn't until, with the help of a stone table, a fake well, and a genuine goat, Alonso and Bayo fooled her into believing herself back in Spain. Though sighted, Anja resigns herself, through the same table, well, and goat, into staying, and, with her cooking, turns Alonso's bar into a bustling eatery. Luka marries a Chinese-American girl from across the street, and is a better hustler than ever with his newly acquired green card, but finds it hard to cope with his father's wrath; Bayo even believes him to be another man's child.

For all these dramatic elements, the film is a racy, folksy comedy, handsomely shot in Greece, Mexico, and New York, especially a Brooklyn teeming with ethnic variety and zesty humor; Yorgos Arvanitis's camera helps create a place as exotic for the viewer as for its struggling inhabitants. Tom Conti plays Alonso with boundless gusto, investing even his crestfallen moments with comic verve; the Yugoslav actor Miki Manojlović (a star also of the Cannes-prize-winning *Underground*, yet to be released here) gives a performance so explosive it practically leaps into your lap. No less fine is the Luka of Sergej Trifunović; in fact, only Manojlović's real-life mother is unimpressive, as Anja.

Some of the dialogue is in Serbo-Croatian and somewhat skimpily subtitled, but Paskaljević's direction and Mihić's screenplay, though a bit repetitious at times, have a zesty feel for people of various backgrounds, and are good in both serious and comic moments, better yet when bittersweetly seriocomic. Only Andrew Dickson's self-consciously folk-tinted score is bothersome; the film itself is tangy and idiomatic. It is not unlike Bayo's beloved bantam rooster, small but plucky. □

BOOKS IN BRIEF

The Future of the Race, by Henry Louis Gates Jr. and Cornel West (Knopf, 196 pp., $21)

IN 1903 W. E. B. Du Bois published his thesis regarding "The Talented Tenth," the exceptional men within the Negro race who would furnish its necessary leadership. Forty-five years later, he revised his term to the "Guiding Hundredth." Mr. Du Bois's 1903 essay and his 1948 address are significant parts of this short volume, containing also an essay by Mr. Gates and one by Mr. West. The preface makes clear the authors' position that government must provide social and commercial programs for the African-American community. Meanwhile, black leaders should demand that their people "accept individual responsibility" for such behavior as "black-on-black homicide, unprotected sexuality, gangster-rap lyrics, . . . [and] homophobia." It is unclear how that responsibility will manifest itself. Will one merely say, "I murdered, I rapped, I homophobed?" Though both essays are written in moods indigo, they are easily distinguished. The essay by Mr. Gates is simply another celebration of himself, reminiscent of his recent memoir, *Colored People*. Mr. West's essay quickly reveals his concern "with alleviating black social misery" and with the "human struggle for mature black selfhood." Whether a black nationalist or not, West believes that our society is characterized by racism and white supremacy and "does not warrant black allegiance or loyalty." In recognizing the admirable qualities of black people, Mr. West does not pursue the subject far enough. When racial differences, both strengths and weaknesses, cannot be openly discussed and considered, there will sadly be no terms available except "superior" and "inferior." By subverting and forcing equality to mean "the same in all respects," we induce a painful, unhealable, and perhaps terminal social illness.

—BEN C. TOLEDANO

Trotsky: The Eternal Revolutionary, by Dmitri Volkogonov (Free Press, 524 pp., $32.50)

ONLY a few years ago, a book like this would have been unthinkable. Here is someone with the rank of Soviet general writing about Trotsky in the style and judgmental tone of a Western academic. New evidence from the official Moscow archives fills out the conventional portrait, but scarcely changes it. Politically astute, Trotsky was hard-working and capable. His flaw was a vision of Utopia fanatical enough to justify the murder of whoever did not share it. In this respect Trotsky and Lenin were two of a kind, and Stalin had only to build on foundations they had laid. Equally brutal, Stalin was more patient and methodical than Trotsky. Described here in rich detail, their unequal duel was the mainspring of terror which left its mark on the epoch. Since Trotsky had contributed so much to the doctrine that in a revolution the end justifies the means, his ultimate murder in exile seems like justice of a sort. "As our minds have freed themselves of dogma and mystification, it has become clear that what happened in 1917 was the most tragic mistake," Volkogonov writes. Hope for the Russians must start in coming to terms with their history like this.

—DAVID PRYCE-JONES

The Sign of the Golden Grasshopper, by Perry E. Gresham with Carol Jose (Jameson Books, 355 pp., $24.95)

THE Tudor monarchs are still a byword for splendor. For those who wonder how they paid for their wives, wars, and palaces, this biography of Sir Thomas Gresham, of the eponymous law ("Bad money drives out good"), has the answer: through taxes and borrowing, just the way they do it in Washington. Gresham, a "merchant adventurer," ran a family trading empire while providing financial counsel and assistance to his sovereigns. The improvident Henry VIII and Mary debased the coinage and kept Gresham busy negotiating interest rates with the Antwerp bankers; but the parsimonious Elizabeth took to heart his advice to maintain a strong defense and a sound currency, and profited thereby. Some may find this book's novelistic narrative style grating, and the invented dialogue occasionally sounds like Errol Flynn playing David Stockman ("Our realm is at the brink of fiscal disaster!"). However, the underlying story of the financial machinations that kept the Tudor state afloat is a fascinating and instructive one, and Gresham's advice to Edward VI's officials still rings true: "If there be not some other ways takyn for payment of his majesty's detts but to force men . . . to prolong them, I say to you the end therof shall neyther be honnorable nor profitable to his Highness."

—CATHERINE BARR WINDELS

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CANAVAN

(Continued from page 47)

ed States believes that access to safe, legal, and voluntary abortion is a fundamental right of all women," and insisted (unsuccessfully) that the UN conference endorse that policy. That is to say that our government under the present Administration wanted to address "the population problem" by making abortion a method of birth control throughout the world. A presidential candidate could say that he would reverse that policy. More broadly, he could pledge himself to policies that would discourage rather than encourage abortions.

He could also advocate forbidding the most outrageous abortions. President Clinton's infamous veto of the "partial-birth" abortion bill defines his stance on abortion very clearly. Other candidates should use the same issue to clarify their own positions. In fact, the issue of third-trimester abortions might also be raised from time to time.

These are only examples of what a candidate for the Presidency could pledge; one could mention many more of them. The main consideration here, however, is that candidates should not allow themselves to be diverted from the real point at issue: Are a million and a half abortions, year in and year out, too many? Voters can do their part by not letting candidates forget that. □

PONNURU

(Continued from page 23)

individual states the power to decide whether to recognize "same-sex marriages." (Proponents worry that if one state were to recognize such marriages, as Hawaii seems likely to do, under current law the other 49 states might have to follow suit.) The Supreme Court might not rebuff Congress as readily as it did the voters of Colorado. "If I have anything to do with it [*Romer*] won't slow down the Defense of Marriage Act. . . . It is even more important in light of the Supreme Court decision," says Rep. Charles Canady (R., Fla.), chairman of the House subcommittee with jurisdiction over constitutional matters.

The Defense of Marriage Act is so mild that President Clinton has endorsed it. Republicans might be able to demarcate a sharp distinction between the principles of the two parties in time for the election by making it less palatable to him. One device would be to add hortatory, non-operational language to the bill expressing its animating premise—that it is permissible for states to embody in law moral and philosophical sentiments about marriage and sexual morality. While expedience has moved Clinton to accept the bill's conclusions, he would have a tougher time with its premises, particularly given his endorsement of *Romer*.

Even as it stands, the bill has aroused fierce opposition from liberals. The line—expressed by columnist Richard Cohen, *New Republic* editor Andrew Sullivan, and the inevitable Frank Rich—is that the bill is an unprecedented offense against federalism and the Tenth Amendment, long a passion of theirs. (Guess how Mr. Rich characterizes the bill. Hint: it includes a hyphen.) In fact, the Defense of Marriage Act may be the most federalist initiative the current Congress has undertaken.

It hardly matters. To advance their cause, the shock troops of the cultural Left and their allies in the newsrooms and on the bench have proved willing to make arguments so wildly implausible they can't possibly believe them. The latest skirmishes in the "culture wars" have revealed the moral corruption of the nation's legal and cultural elites, a corruption that has less to do with tolerance of homosexuals than with a lack of intellectual integrity. □

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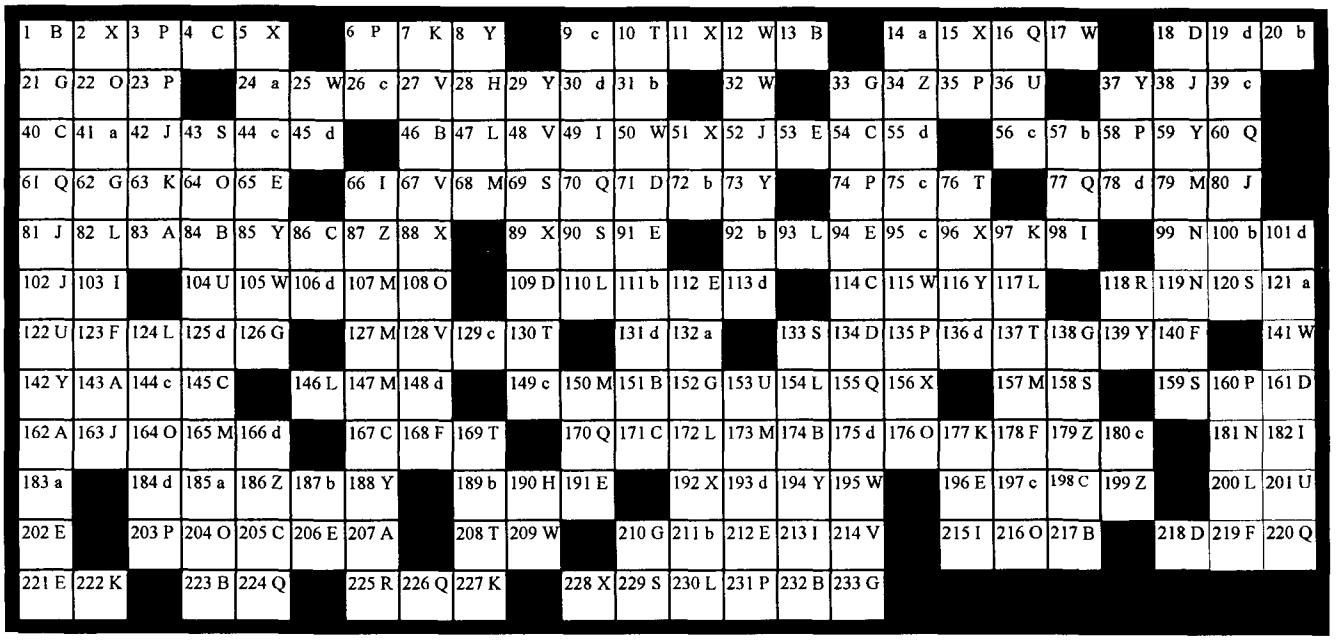
TRANS-O-GRAM / Siegfried R. Reiner



DEFINITIONS

A. Israelite king who avenged the prophets' deaths on Jezebel (*II Kings* 9) — 83 143 207 162

B. Flagrant — 217 46 151 232 13 223 174 84 1

C. Rostrum thunderer — 40 205 4 171 86 54 167 114 198 145

D. Legendary — 18 71 218 109 134 161

E. When warriors steel themselves (3 words) — 202 112 91 94 196 212 221 206 191 65 53

F. What Ed Capano hopes all *NR* subscribers will do — 219 178 168 140 123

G. Jefferson's plantation birthplace — 152 62 138 233 33 126 21 210

H. Land of the Wizard — 190 28

I. Wind sweeping down from Canada — 182 213 98 215 103 49 66

J. Some Dodge trucks boast this heavy diesel — 102 42 80 52 81 38 163

K. Rectifies, changes for the better — 63 177 97 7 222 227

L. Foreboding — 172 230 110 117 146 82 154 200 124 47 93

M. Dolorous — 68 157 173 165 79 147 127 150 107

N. Child's king marble — 119 181 99

O. Swarthy Moor of Venice — 204 164 216 176 108 64 22

P. In *Jaws* it was perilous not to heed this sign (2 words) — 231 6 35 23 3 74 203 58 160 135

Q. Eco-group with topsy-turvy priorities (2 words) — 220 226 16 155 60 77 170 70 61 224

R. Expostulation conveying surprise — 118 225

S. Quarter-penny in England — 158 229 133 69 120 159 90 43

T. Foghorn Leghorn's mother-in-law? (2 words) — 208 137 169 10 130 76

U. House chronicled by Poe — 153 104 201 36 122

V. Great stream — 214 27 48 67 128

W. Heat scale — 209 32 115 50 195 12 105 17 25 141

X. Scholar of peoples, their origins, language, migrations, etc. — 228 2 96 51 15 5 89 88 11 156 192

Y. Devil-dog — 188 116 37 139 142 29 85 73 8 59 194

Z. This Clinton nominee for spy chief got cold feet — 34 87 199 186 179

a. Like automobile bumpers in Detroit's heyday — 24 185 41 132 14 121 183

b. God willing, to a Mohammedan (2 words) — 72 189 31 57 111 211 187 20 92 100

c. Love-struck, to Bambi — 26 56 144 180 9 129 197 149 44 95 75 39

d. Algerian-born couturier (3 words) — 166 175 19 125 184 106 101 30 131 45 193 136 78 113 148 55

DIRECTIONS

The object of TRANS-O-GRAM is to fill in the puzzle diagram by guessing the words from their definitions, and transferring each letter of the guessed word to the correspondingly numbered square in the diagram. When the diagram is filled in it will spell out a quotation from some published work (reading normally from left to right, black boxes indicating the ends of words); also, when the words have all been filled in above, their initial letters will spell out the author and the title (or topic) of the quoted work. The acrostic feature, and the relative word-lengths in the diagram, will assist in the solution. Spelling and definition on the authority of *Webster's Deluxe Unabridged Dictionary*, Second Edition.

Solution to last issue's Trans-O-Gram. MADISON: *The Union of the States*: "The advice nearest my heart and deepest in my convictions is that the union of the states be cherished and perpetuated. Let the open enemy of it be regarded as a Pandora with her box opened, and the disguised one as the serpent creeping, with his deadly wiles, into paradise."

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ON THE RIGHT / Wm. F. Buckley Jr.

What Happened? The Official Version

NEW YORK, MAY 17

No question, Senator Dole needed a new launch. The polls have been bombarding him for weeks with news of his progressive impotence, and his own allies had begun to tiptoe around him. If he has theatrical reserves, he will use them now, the idea being that, freed from the shackles of the day-to-day legislative process, he will spring to new political life, fresh as Venus risen from the Cypriot Sea.

It is all, as they say, spin-stuff—how we are meant to view things, how developments are choreographed by those whose hands are at the great dashboard of public affairs.

The planted axiom is this: That the events of 1994 have been discredited. And since the habit is always to anthropomorphize, the events of 1994 translate into: Newt Gingrich. The basic manual would go like this:

1. In November 1994, the Religious Right sneakily went from state to state singling out legislators whose seats were insecure. Fifty representatives and ten senators were marked for execution.

2. Newt Gingrich came up with a list of legislative priorities, which he called the Contract with America, and got pledges from all Republican incumbents and contenders to enact the program when and if elected.

3. Because the United States tends to be a sleepy country, the Gingrich people brought it off, and for a few months there was something like immobilization on the part of the President and other public figures who care about poverty, unemployment, homelessness, the environment, and AIDS.

4. But the President stood up under the hailstorm and discovered in himself, as other Americans in increasing numbers discovered in him, great strengths, animated by his basic commitment to the people.

5. One year after the Gingrich brigade began its march on Washington, the army began to fall apart, its purposes penetrated by an aroused public. Gingrich was isolated, and presidential candidate Dole had to free himself from the whole mess.

6. But, of course, he won't succeed.

When in 1950 the AFL–CIO decided that the most important objective of the season was to beat Senator Robert Taft in his bid for re-election as senator from Ohio, the unions mobilized around the "Slave Labor Act" of 1947. This was the name the spin doctors gave to the Taft–Hartley Law, with its dozen provisions limiting union abuses. A Taft strategist conducted a poll early in the campaign asking union members how they felt about Proposals A to Z. The poll made no mention of the Taft–Hartley Act, with the result that union members expressed themselves under no pressure of political correctness. The astonishing conclusion of the surreptitious poll was published and lo! 85 per cent of labor-union members approved 85 per cent of the provisions of the Slave Labor Law.

Exactly such an approach to the provisions in the Contract with America would reveal that the disrepute in which it is now held is a political contrivance by Left ideologues and liberal opportunists.

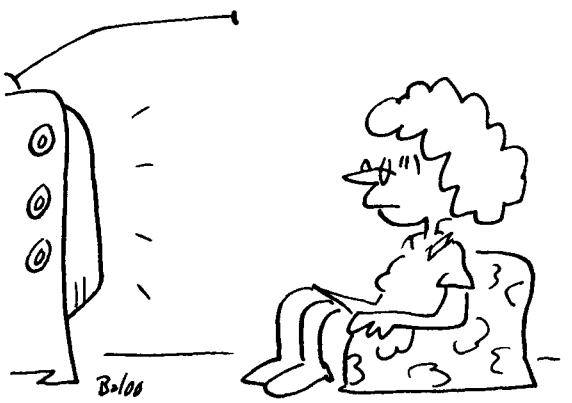
Two provisions of the Contract were passed and signed into law, to the effect that federal labor laws apply alike to Congress, and that congressional mandates to the colonies must provide funds to pay their cost.

What of the others? Well, the House declined to vote with sufficient strength to launch a constitutional amendment to limit terms in office. Nor did the measure to restore financing for an anti-missile defense system make it.

Every other provision in the Contract was passed by the House. But only four were approved by the Senate. The constitutional amendment to require a balanced budget was stopped by a single Republican vote in the Senate. The anti-crime bill stalled in the Senate, and tax relief for parents bobs about in the Balanced Budget Amendment. A cut in the capital-gains tax and other middle-class tax relief was vetoed; a product-liability bill was stopped by the Senate, relieving the President of the exertion of vetoing it.

The story is gridlock, and much is to be said for gridlock when the alternative is impetuous legislation. But the political vision is of a bandit chief with rings through his nose, blocked from wrenching the bottle from the baby's hand just in time by the nobler spirits of the Republic.

It is commonly thought that Bob Dole is too much a part of it to see it whole. To do this would require such inconveniences as denouncing his own special interest (Ethanol for Kansas). There are two questions. The first, Can Bob Dole do it? The second, Would America respond if it were Pericles talking to us? □



"The following exposé of the horrible dangers of nuclear energy is brought to you by a grant from Mammoth Oil."

Stop or I'll Shoot

NEW YORK, MAY 14

Except that one has to believe nowadays that everything is possible, we'd have called flatly impossible the situation in Eugene, Oregon. What happened is a murder of three children, followed by the arrest of a 20-year-old suspect. The suspect, in jail, asks to see a priest. Father Mockaitis appears in prison and is led to one of those cubicles with plastic partitions through which prisoners speak to lawyers, family—and clergy. The prisoner tells the priest he wishes to make a confession. The priest recites the introductory rites, hears the man's confession, grants (contingent) absolution, and leaves.

Now hear this. During the entire business, the district attorney's office has taped the exchange. And now the district attorney, Mr. Doug Harcleroad, announces that he intends to present the tape to a grand jury.

At their battle stations, the Archdiocese cited an Oregon statute that holds that all exchanges between priests and those consulting them are confidential. The district attorney fired back with another statute that holds that all conversations except those between lawyers and their clients can be recorded, even surreptitiously. He points out that the exchange is no longer truly private, inasmuch as two prosecutors and a detective are privy to its contents, as also the typist who put it

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on paper. But that is nothing more than an attempted distraction. If a secret is to be guarded, it matters that as few as possible should be told it. There is a difference between what has already been done, and what it is proposed the State of Oregon now do.

Now this is naked fascism, truly the end of the line. The relationship between a priest and a penitent is sacredly inviolate. A historian some time ago paused to reflect that in recorded history there is no instance of a priest violating his confessional oath, except presumably under torture. Twenty years ago *Oui* magazine, the then-sister publication of *Playboy*, went as far as barbarians can go to blaspheme the privacy of the confessional. The cover feature advertised itself: "The Sex Book That Rocked Italy (And We've Got the Good Parts!)." Inside were excerpts taken from two miserable "investigators" who had feigned the role of penitents and gone about Italy asking sexual counseling from priests. "What you are about to read," wrote publisher Hugh Hefner exultantly, "is sacrosanct, privileged information, fresh from the Roman Catholic confessional." One forgets whether it was before or after that issue that Mr. Hefner received a prize for his stalwart defense of free speech from the Anti-Defamation League.

What is now proposed in Oregon is a direct challenge of a supra-national right. The ancient and venerable distinction is between what we owe to Caesar and what we owe to God. Sometimes the line is evasive. Sometimes it is as clear as the sun at noon. The idea that the state should intercept a communication between a penitent and his confessor yanks at the very pillars of separation between church and state. It is reassuring that the American Civil Liberties Union is intervening in Oregon to try to stay the hand of a district attorney who is perfectly prepared to acknowledge the sanctity of proceedings between prisoners and their lawyers, but prepared secretly to record and subsequently to publicize exchanges with a priest, who serves, in the Christian understanding, in place of God himself.

This is an absolutely clear-cut case justifying civil disobedience. If the state tells a citizen he may not pray to his own God, the state is by that very act a tyrant, meriting disobedience even with the use of force, if necessary to prevent the usurpation.

A movement should instantly be organized in Oregon to impeach and disbar the district attorney. It is inconceivable that that movement would fail to get the backing of thoughtful people of every faith. Direct appeals should be made to everyone in the chain of command. To judges, jurors, bailiffs, stenographers, janitors: Refuse to cooperate with the proceeding in any way. Any intervention by the police should be resisted as confidently as one would have refused a Gestapo agent attempting to interrupt proceedings in a synagogue.

Nothing less than the discharge of the district attorney will serve as a sign of contrition by the government of Oregon, this act of contrition to be done with the music and noise and fireworks that properly mark a celebration over tyrannical initiatives. □

A Lot of Learning

NEW YORK, MAY 21

There's a lot of weeping and gnashing of teeth about a lack of education; less than there ought to be about miseducation; and practically no bells ringing about good education, except when Berkeley or Chicago gets another Nobel Prize. What follows is a lullaby to the forlorn on the theme of: Believe it or not, some American students learn.

What first caught my attention (I was Commencement speaker) early in the proceedings was the distribution of prizes. They were given to a dozen or more of the hundred graduating seniors, but one prize was specified to go to a member of the freshman class, and in due course his name was called out. The heat at midday was unmerciful, but George Robert Phelps did not suffer the burden of an academic gown. Tall, thin, redheaded, tieless, wearing eyeglasses and dragging his rumpled jacket at hip level, he was 17 years old or maybe 18. He had won a prize for an essay entitled, "Music, Myth, and Philosophical Uncertainty in the *Phaedo*."

Ray Cave, the editorial director of Time Warner Magazines, was seated alongside me, to receive the title of Honorary Fellow of St. John's College. He had graduated in 1948, at age 20. The size of the graduating class that year was seven. St. John's is the third oldest college in the United States, but it nearly decomposed in the Thirties. Then, late in the decade, it found new life with total concentration on the classics and the great books. We were seeing the results. I leaned over and whispered my astonishment at the academic and intellectual sophistication. He did not find it surprising.

The balance of the prize winners were seniors. Young Peter Louis Rubenstein has the word on the "'Mechanism' [his quotation marks] of Freedom: An Exploration of Concepts in the Metaphysics of G. W. Leibnitz." One has to guess what it is that Soniah Naheed Kamal had in mind to stress in her essay, "On Prince Charmings: Frogs, Love Marriages, and Arranged Ones." There were prizes for best translations from the Greek and from the French, and also a prize "To the student who submits the most elegant solution of a geometrical problem."

I was reconciled to having been exposed to a dozen prodigies, but a few moments later, one after another, the undecorated undergraduates filed by to receive their diplomas. The program listed their senior essays.

I would run here the risk of incredulity. To guard against this, I quote exactly the titles of the essays of the first few seniors who, in alphabetical order, came up to receive their diplomas.

Christopher Michael Anderson wrote on "The Shapeless Vapor: An Investigation of the Beautiful Soul and Morality in Hegel's 'Phenomenology of Spirit.'" Jennifer Carey Bates wrote on "A Second Look at the Legendary Seducer, Don Juan." Wesley Beato wrote on "'Ritrovai': Re-Encountering of the Self in Dante's *Inferno*." Sarah Christen Bittle had a homely little title for *her* essay, "A Subject That Interests Us above All Others: A Study of the Foundations of Morality." Heather Alison Calvert gave us, "The Spiritual and the Perverse: The Agonizing Reality Revealed by an Antithetical Union." And Matthew David Caswell, "Kant's Theory of the Moral Self: Unity as the Condition for Completeness."

That's the kind of thing that can happen to students who want a true education. To apply to St. John's you do not take an SAT test, or any other test. How do they find out—I allowed myself to wonder—that at the end of freshman year, you will have set the world straight on the philosophical uncertainty in the *Phaedo*?

What St. John's does is go exactly in the opposite direction of what virtually everybody else is doing. Everybody studies here the same thing. All classes are conducted as seminars. Freshman year? Homer, Aeschylus, Sophocles, Euripides, Aristophanes, Plato, Aristotle, Lucretius, Herodotus, Thucydides, Plutarch, Euclid, Nicomachus, Ptolemy, Lavoisier, Dalton, Archimedes, Torricelli, Pascal, "and 16 others."

Senior year? Molière, Goethe, Tolstoy, Dostoyevsky, Baudelaire, Rimbaud, Valéry, Yeats, Kafka, Wallace Stevens, Twain, Joyce, Conrad, T. S. Eliot, Woolf, Flannery O'Connor—that's in literature. In philosophy, Hegel to William James; in history and social science, Hegel to Frederick Douglass; in math and natural science, Faraday to Bohr; in music, Wagner.

Did you ever see a dream walking? Go to St. John's, Annapolis. □

(Universal Press Syndicate)

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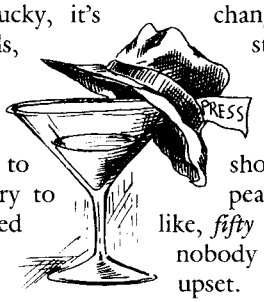
THE GIMLET EYE

JOE BOB BRIGGS

THERE'S always some girl around who wants you to go to Shakespeare in the Park, right?

We fall for this every year, right, guys?

And then when we get there, it's always thirty guys from Juilliard and Yale slitherin around in green leotards and rattlin off iambic pentameter Snoot Music like they love the sound of their own voices, and if you're lucky, it's Kevin Kline in green leotards, or James Earl Jones in a tunic, but no matter what happens, it's always this great meeting place where women drag men to sit in the extreme heat and try to listen to the most complicated poetry ever written. Through a *beer haze*!



Who thought this up, anyhow?

It's like sayin, "Let's put on a basketball game, but make the audience members hang upside down from the rafters if they wanna watch it."

Here's the complete audience reaction at a performance of Shakespeare in the Park:

"Wha'd he say?"

"I don't know."

"Wha'd he say?"

"Wha'd she say?"

"Which one is he?"

"Why'd he come back in a different costume?"

"Wha'd he say?"

"Do I have to walk across the stage to get to the bathroom?"

"Wha'd the second guy say?"

"*That was great! Fabulous!* Come on, let's give em a *standing ovation*!"

And then everybody goes home and talks about what a great Cultural Experience they had and buys a bunch of Campho Phenique to put on all the chigger bites that turn up in the next week.

I think there's hope for the future, though. A couple years ago I got dragged to this Shakespeare in the Park put on by the Joseph Papp Public Theater, which some of you might know is *the most* politically correct theater in America. They don't do *anything* unless it has at least one Filipino lesbian handicapped-rights activist in it. And here's what I thought was encouraging:

Half the play was *fat jokes*.

Good, old-fashioned fat jokes, from *The Merry Wives of Windsor*, just the way Shakespeare wrote em. They didn't change em at all. There are stand-up comics who won't even do fat jokes any more. I've had fat jokes censored from my own TV show. And here, in Shakespeare in the Park, you have, like, *fifty* fat jokes in one show, and nobody says a word. Nobody gets upset.

And they were *danged funny*.

Fat is still funny.

Skinny is funny, too, but not as funny as fat. Aristotle proved this many centuries ago.

Actually, now that I'm on the subject, I should point out that we're not supposed to even use the *word* "fat" any more. It's a TV rule. I don't know who made it up, but I'm gonna guess Norman Lear or Phil Donahue. I wouldn't trust either one of em within fifty miles of a fat joke.

So it was a little ironic when this new study came out from the National Center for Health Statistics, announcing that *one-third* of everybody in America is . . .

And the news announcers weren't allowed to actually say it.

What they were *trying* to say, though, is that one-third of America is made up of paunchy, obese, rotund, pot-bellied, oversized, elephantine, roly-poly, massive, gigantic, blubbery *tubs of lard*.

Is that better?

And the definition of being a Land Whale is 20 per cent or more above your correct weight, which means we've got a whole lot of Flesh Monsters that didn't get counted cause they just missed the cut-off.

Not only did they find out that there are, like, *eighty million* Chunkmeisters out there, but it's getting worse every year. We have 31 per cent *more* Walking Office Buildings than we had 10 years ago. We've got people up there in Missouri putting stress fractures in the foundations of their tract homes, you know what I mean?

We've got Lard-Ladling old people that spend $40,000 a year on six-dollar all-you-can-eat Holiday Inn buffet dinners.

AND listen to this part of it. You know how it's always the men who are accused of being couch potatoes, sitting around watchin football, nursin their beer bellies? Well, it turns out that women are worse. Only 31 per cent of the guys are overweight, but 35 per cent of the gals. We might be couch potatoes, but some of these women have backsides that look like squids seen through the glass at the Coney Island Aquarium.

And then the government tries to figure out *why* everybody is turning into Cheese Whoppers with arms, and their conclusion is . . . "low physical activity level."

Well, no kiddin, Mr. Hawking. Some of these people can't even see their feet without doing three hours on a Thighmaster first.

But the funny thing was, the media tried to report this whole story without ever using the word "fat."

I think this might be *why* we have so many Aunt Jemima Frozen Waffle People. Because nobody ever uses the word. Maybe what they really need is somebody to get in their face and say, "You're fat. You're, like, *really really fat*."

And maybe *some* of em would go, "Oh, okay, yeah, when you put it like that," and lose some weight.

But if we don't ever say *fat*, they might just think their shoes are on too tight or something.

Does this make sense to you?

It made sense to Shakespeare.

See, we *can* learn from the classics. □

Mr. Briggs is a syndicated columnist from Grapevine, Texas.

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THE BOMBAY SAPPHIRE MARTINI. AS SCULPTED BY ROBERT LEE MORRIS.

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